



Staff Report for: PD-25-10

Hearing Date: November 10, 2025/December 9, 2025

To: Planning and Zoning Board/Board of County Commissioners

From: Jie Shao, AICP, MCP, Planner, Principal (see attached Exhibit 1 for professional qualifications)

Regarding: A request to amend the Zoning Atlas

Part 1 – General Information

Applicant: Zemel Land Partners LLC, 5800 Lakewood Ranch Boulevard, Sarasota, FL 34240

Agent: Robert H. Berntsson, 3195 S. Access Road, Englewood, FL 34224

Owner(s): Zemel Land Partners LLC, 5800 Lakewood Ranch Boulevard, Sarasota, FL 34240

Request: A privately initiated request to amend the Charlotte County Zoning Atlas from Planned Development (PD) to PD, which is a Major Modification to the existing PD, Ordinance Number 2007-063 and Ordinance Number 2023-019, in order to:

- Have a residential development up to 715 residential units (a reduction of 179 residential units); requiring transfer of density of units for residential development above the base density of 344 units.
- Adopt a revised General PD Concept Plan.

Location: **Commission District II:** The subject property is located at 26901 or 27001 Zemel Road; within the boundary of the Burnt Store Area Plan area and in the Punta Gorda area.

Land Area: The subject property contains a total of 334.38± acres.

Public Notice: Public Notice has been given as required by Charlotte County Code, Section 3-9-10; sub-sections (d) Published Notice; (e) Mailed Notice (1,000-foot Mailed Notice Map); and (f) Posted Notice.

Part 2 - Analysis and Conclusion

Request

The applicant and property owner, Zemel Land Partners LLC, is requesting a major modification to Ordinance Number 2007-063 (Attachment 1) and Ordinance Number 2023-019

(Attachment 2) and adoption of a revised General PD Concept Plan in order to allow for a residential development up to 715 residential units (a reduction of 179 residential units). This modification requires transfer of 371 density units in order to achieve the maximum residential development of 715 units.

The subject property, consisting approximately 334.38 acres, is located on the south side of Zemel Road and southeast of Burnt Store Road, within the boundary of the Burnt Store Area Plan area, in the Punta Gorda area, and in Commission District II.



PD-25-10 Area Image

History of the Subject Property

Planned Development (PD) Rezoning, Base Density, & Plat

On September 18, 2007, the Board of County Commissioners (Board) approved an amendment to the Zoning Atlas from Agriculture Estates (AE) to Planned Development (PD) for the entire subject property via Ordinance Number 2007-063 (Attachment 1), in order to have a mixed residential development including 180 single-family units and 714 multi-family units. The subject property retains a base density of 33 units and will require a total of 861 units of transferred density in order to achieve the development up to 894 dwelling units. The associated PD Concept Plan expired on September 19, 2008, based on the Planned Development code that existed at that time. In February 2023, the property owner submitted a request to extend the expired PD Concept Plan. On April 25, 2023, the Board approved the extension request via Ordinance Number 2023-019 (Attachment 2).

On May 23, 2023, the Board approved a TDU application via Resolution Number 2023-077 (Attachment 3) to transfer 311 density units onto the subject property. As of today, the new base density for this property is 344 units.

On September 12, 2023, the Board approved a Preliminary Plat application for a residential subdivision to be named Residences at Burnt Store East, consisting of 344 single-family lots and 20 tracts on the subject property (Attachment 4).

On February 27, 2024, the Board approved a request to establish the “Firelight East Community Development District (CDD)” via Ordinance Number 2024-001 (Attachment 5). Construction of the stormwater management system, onsite wetland conservation/mitigation, public roadways (onsite), hardscape, landscaping and irrigation, streetlights/undergrounding of electrical lines, and the recreational amenities within the boundary of the proposed CDD will be funded, owned, and maintained by this CDD.

On September 10, 2024, the Board approved Final Detail Site Plan for the first phase of this development, which consists of 344 single-family units, via Resolution Number 2024-143 (Attachment 6).

The subject property was reduced in size from approximately 338.02 acres to approximately 334.38 acres as a result of the establishment of Zemel Road as the County’s right of way.

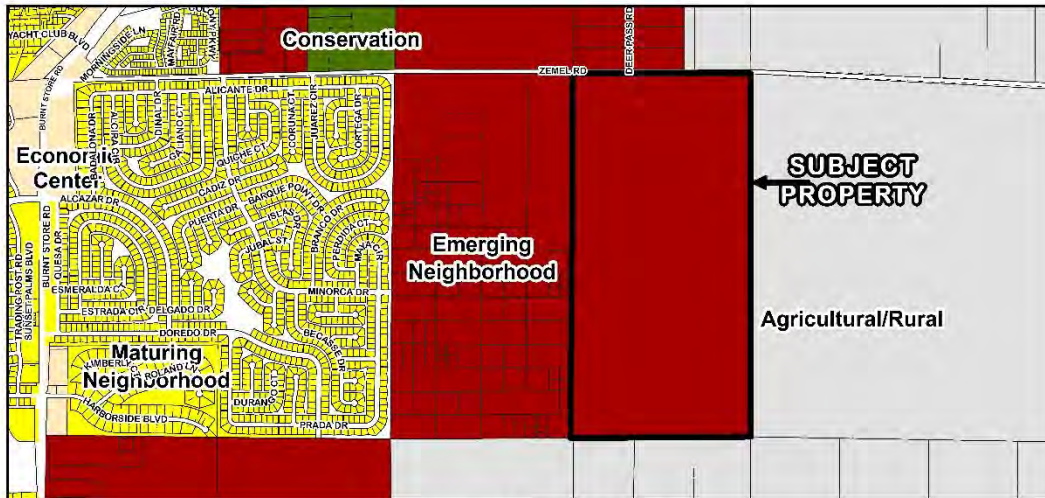
Current Status

The applicant/property owner is requesting a major modification to the existing PD conditions and its associated General PD Concept Plan and to adopt a revised General PD Concept Plan, allowing for a residential development up to 715 dwelling units (a reduction of 179 units). The stated purpose of this application is to reduce density units and to allow for secondary connection to the property located immediately to the west of the subject property, which is owned by the applicant.

Consistency with the County’s Comprehensive Plan

The site is designated Emerging Neighborhood on the 2050 Framework Map (FLUM Map #2 2050 Framework). According to the County’s Comprehensive Plan, “Emerging” Neighborhoods include large areas of undeveloped lots or other undeveloped lands in locations that are appropriate for residential and mixed-use development. Emerging Neighborhoods are generally near regional transportation corridors, typically have central water and sewer infrastructure, and are in the path of future urban development. These neighborhoods have the opportunity to create a sense of identity for the community and to introduce planning principles supporting more sustainable neighborhoods prior to further development. The subject property is located on Zemel Road, which connects Burnt Store Road and US 41 in the South County area. It is staff’s professional opinion that, although the proposed major modification is to lower the density and provide a connection with other adjacent property, it still allows for a residential development with a proposed habitat management plan to restore and preserve approximately 152.01 acres of onsite wetlands, and their uplands and buffers, which is consistent with the intent of the Emerging Neighborhood designation.

The Future Land Use Map (FLUM) designation for the site is Burnt Store Village Residential (BSVR) which allows for up to five units per acre. The proposed PD rezoning will decrease the already approved residential development rights from 894 units to 715 units, which is approximately 2.14 units per acre. Staff's professional opinion is that the proposed changes are not contrary to its FLUM designation of BSVR.



PD-25-10 Framework



PD-25-10 FLUM Designations



PD-25-10 Zoning Designations

The subject property is located outside of the Coastal High Hazard Area (CHHA). The proposed changes are not contrary to policies related to development within the CHHA.

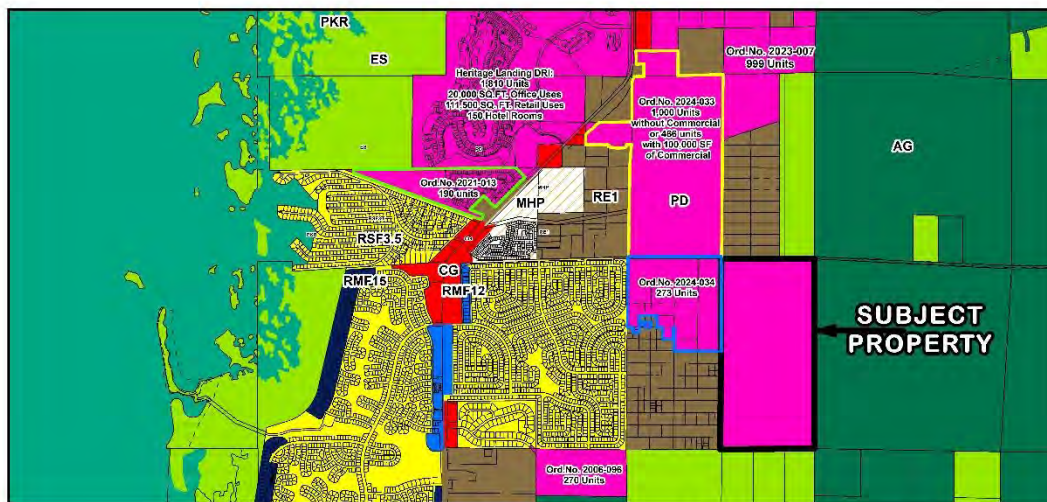
According to the proposed revised General PD Concept Plan and the submitted “Native Habitat Management Plan” prepared by Kimley-Horn and Associates, Inc., dated October 2025, the subject property contains approximately 123.54 acres of wetlands and 17.44 acres of uplands. A total of approximately 0.27 acres of onsite wetlands are proposed to be impacted within the project area for a roadway crossing to provide access for the proposed residential homes to Zemel Road. Due to design constraints of the site, no reasonable alternative exists. In total, the project proposes to preserve approximately 152.01 acres of wetlands and wetland buffers, which comprise 99.99% (140.953/140.98) of the onsite wetlands. Additionally, hydrologic connections of natural flowways shall be maintained during and after all development activities.

Approximately 99.99% of the onsite wetlands will be protected and preserved in perpetuity via a wetland management plan. It is staff’s professional opinion that the proposed impact on approximately 0.27 acres of wetland is not contrary to **ENV Policy 3.1.9: Roads** which states that *“Roads necessary for access to upland portions of a subject property may cross wetlands provided they cross the least sensitive portion (i.e., narrowest, most degraded, etc.) of the affected wetlands and all environmental permitting procedures have been followed. Minimally invasive building techniques and pervious road surfaces will be required.”* The submitted Habitat Management Plan which will be part of the PD conditions to ensure that the majority of the onsite wetlands will be protected and preserved.

Therefore, it is staff’s professional opinion that the proposed changes are consistent with the Comprehensive Plan’s various natural resource policies such as protection of species, preservation of habitat, exotic plant removal, and the wetland protection and preservation.

Surrounding Uses and Compatibility Issues

The subject site is located in the South County area and within the boundary of the Burnt Store Area Plan. An approved PD via Ordinance Number 2024-034 (Attachment 7) is for 273 residential units on property located immediately to the west of the subject property. Further to the west, there is an established residential neighborhood (Punta Gorda Isles) which includes single-family homes and some vacant residential lots; this area is designated as Low Density Residential (LDR) with Residential Single-family 3.5 (RSF-3.5) zoning. Across Zemel Road, to the northwest of the subject property, there are vacant lands designated for residential development, the State-owned lands, and the Burnt Store Colony Mobile Home Park; these areas are designated as BSVR and Resource Conservation (RC) with a RE zoning and Manufactured Home Park (MHP) zoning. To the northwest, across Zemel Road, the property, containing approximately 349.1 acres, is also owned by the applicant, and allows for a residential development up to 1,000 units without any commercial uses or a mixture of residential and commercial development up to 466 units and commercial uses up to 100,000 square feet. This area is designated as BSVR with the PD zoning (Ordinance Number 2024-033) (Attachment 8). To the east and south of the subject site, there are environmentally sensitive lands owned by the State of Florida.



PD-25-10 Zoning Designations

Based on the above data, it is staff's professional opinion that the proposed changes to reduce to the maximum residential development rights from 894 units to 715, to provide internal connection to a residential development located immediately to the west of the subject property, and to revise development conditions, will minimize detrimental or negative impacts on surrounding residential uses.

Concurrency issues

- **Water and Sewer:** The site is located in an area serviced by Charlotte County Utilities, the Burnt Store site. An “Availability Request Form” from Charlotte County Government Utilities Department dated March 10, 2025, states that: “potable water, sanitary sewer and reclaimed water are available to the subject property. *Services are available through a private developer’s agreement to extend them.*” In addition, the proposed change will decrease the already approved maximum residential development rights from 894 dwelling units to 715 units; therefore, it should reduce the water usage and have less sewage generation.
- **Traffic:** After reviewing the traffic impact statement prepared by Kimley-Horn and Associates, Inc., dated April 21, 2025, and submitted with the application, staff from the County Public Works Department agrees with the conclusion which states that: “*Access to the site, as shown in the conceptual site plan, is provided through the following access connections:*”
 - *One (1) full-access connection along Zemel Road*
 - *One (1) cross access connection to Firelight South*

The study area roadway segments are anticipated to operate within Charlotte County’s adopted Level-of-Service standards in the future total traffic conditions.” However, based on Article XIV. Concurrency Management, staff has some concerns related to the future traffic concurrency/capacity on both Burnt Store Road and Zemel Road given the development trend in that area. Therefore, County staff requested the developer to prepare cumulative traffic impact statement for the Firelight developments (North, South, East) and also proposes the following PD transportation condition:

Prior to Final Detail Site Plan approval, the applicant shall be required to meet concurrency per Article XIV. Concurrency Management. As to transportation concurrency, the applicant shall be required to account for project traffic and previously approved developments which have reserved capacity in the roadway level of service analysis. If the level of service (LOS) falls below the adopted minimum standard due to the proposed development traffic, a proportionate share analysis may be required to satisfy concurrency.

- **School:** The proposed changes will decrease the approved residential development rights from 894 dwelling units to 715 units; therefore, the student population is expected to be reduced as a result of the proposed rezoning. In addition, the following existing PD condition shall remain in order to address the school concurrency issues:

If the school concurrency process is still required under a valid interlocal agreement, prior to Final Detail Site Plan or Final Plat approval for any residential development for any Phases, the applicant/property owner must obtain a School Concurrency Availability Determination Letter (SCADL) from Charlotte County Public Schools (CCPS) indicating that

sufficient capacity exists or has been accounted for through a binding and enforceable agreement with CCPS to address school concurrency.

If an agreement is required, the terms the agreement shall be incorporated into the Planned Development Final Detail Site Plan approval and shall not constitute a major modification.

PD Concept Plan

The General PD Concept Plan associated with this PD rezoning was submitted for Site Plan Review. The petition number is DRC-25-078. A recommendation letter was issued on June 27, 2025 (Attachment 9).

Conclusion

It is staff's professional opinion that this PD rezoning request with the recommended conditions contained in Exhibit "A" attached is consistent with the Burnt Store Village Residential FLUM category and various goals, objectives, and policies set forth in the County's Comprehensive Plan as well as vision and intent of the Burnt Store Area Plan. As conditioned, the proposed development minimizes detrimental impacts on the surrounding properties.

Part 3 – Summary and Recommendation

Staff Summary:

Based upon the analysis and conclusions set forth herein, in staff's professional opinion, the application (Application No. PD-25-10) is generally consistent, as conditioned, with Charlotte County's Comprehensive Plan, Charlotte County's Code of Laws and Ordinances and other applicable guidelines.

The Planning and Zoning Board recommendation on November 10, 2025:

*A motion to forward application No. PD-25-10 to the Board of County Commissioners with a recommendation of **Approval with conditions "a" through "r"**, based on the findings and analysis in the staff report dated October 28, 2025, Charlotte County's Comprehensive Plan, and the evidence and testimony presented at the public hearing before the Planning and Zoning Board.*

Part 4: Research and Findings

- 1. 2050 Framework Map Designation:** Emerging Neighborhood (FLUM Map #2 - 2050 Framework)
- 2. 2030 Service Area Delineation:** In the Urban Service Area
- 3. Existing Land Use on the Site:** The subject property is currently vacant. (see attached Site Image)
- 4. Existing Future Land Use and Zoning Designations:**
(see attached Future Land Use Map and Zoning Map.)

FLUM:	Development Standards:
<p>Burnt Store Village Residential (BSVR)</p>	<p><u>General Range of Uses</u> Residential, commercial, recreational, institutional uses and public services and facilities are allowed in this category, and may either be independently developed or integrated through a common plan of development. The Burnt Store Village Residential land use category is intended to provide for a range of housing options including multi-family and single-family dwelling units sold either fee-simple or as condo units. Recreational vehicles may also be developed as a primary use. Each space that is to be occupied by a recreational vehicle shall count as a unit of density and any recreational vehicle use must be developed per Special Provision (3) below</p> <p><u>Maximum Density</u> Density: Properties within this land use category are allowed one dwelling unit per ten acres by right. Property of more than 20 acres in size may develop up to five dwelling units per acre and property of 20 acres or less may develop up to one dwelling unit per acre. Any density above one dwelling unit per ten acres must be transferred through a TDU.</p> <p>Intensity: Commercial uses must be developed in a compact, nodal configuration. Retail development is limited to 0.25 maximum FAR and office and institutional development is limited to 0.5 maximum FAR. Commercial developers are encouraged to work with Charlotte County, the U.S. Postal Service and other governmental service providers to locate branch facilities in commercial areas.</p> <p>Mix of Uses Commercial and institutional development within this classification is limited to ten percent of the total development area for properties outside of the Commercial Node, as illustrated on the Burnt Store Area Map (SPAM Series Map #5). Residential may be developed independently of other uses; however, other uses may only be developed when integrated into a residential development plan.</p>
Zoning:	Development Standards:
<p>Planned Development (PD)</p>	<p>The purpose and intent of this district is to provide flexibility and to encourage concentrated, energy-efficient land development, and to provide opportunities to impose conditions to ensure that the proposed development is consistent and compatible with the surrounding neighborhood.</p> <p><u>Minimum lot and yard requirements.</u> Internal lot and yard requirements shall be established through the PD rezoning process. Unless otherwise approved by the BCC or provided in section 3-9-45.1, no structure shall be located closer to the peripheral property line of the PD than twenty-five (25) feet or as required by section 3-9-88, "Waterfront property," as the same may be amended, whichever is greater.</p> <p><u>Maximum height of structures.</u> The maximum height for structures shall be established through the PD rezoning process.</p> <p><u>Open space.</u> Unless otherwise approved by the BCC or as provided in section 3-9-45.1, a minimum of twenty (20) percent of the entire PD parcel or phase shall be retained as open space.</p> <p><u>Internal circulation.</u> All streets shall be designed to provide safe, efficient and convenient access to land uses within the development and to roadways adjacent to the development.</p>

	In addition to vehicular thoroughfares, functional pedestrian and bicycle-path systems are required in accordance with the county's land development regulations.
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Table 1

5. Proposed Future Land Use and Zoning Designations:

(see attached Future Land Use Map and Zoning Map.)

FLUM:	Development Standards:
No Change Burnt Store Village Residential (BSVR)	<p><u>General Range of Uses</u></p> <p>Residential, commercial, recreational, institutional uses and public services and facilities are allowed in this category, and may either be independently developed or integrated through a common plan of development. The Burnt Store Village Residential land use category is intended to provide for a range of housing options including multi-family and single-family dwelling units sold either fee-simple or as condo units. Recreational vehicles may also be developed as a primary use. Each space that is to be occupied by a recreational vehicle shall count as a unit of density and any recreational vehicle use must be developed per Special Provision (3) below</p> <p><u>Maximum Density</u></p> <p>Density: Properties within this land use category are allowed one dwelling unit per ten acres by right. Property of more than 20 acres in size may develop up to five dwelling units per acre and property of 20 acres or less may develop up to one dwelling unit per acre. Any density above one dwelling unit per ten acres must be transferred through a TDU.</p> <p>Intensity: Commercial uses must be developed in a compact, nodal configuration. Retail development is limited to 0.25 maximum FAR and office and institutional development is limited to 0.5 maximum FAR. Commercial developers are encouraged to work with Charlotte County, the U.S. Postal Service and other governmental service providers to locate branch facilities in commercial areas.</p> <p>Mix of Uses Commercial and institutional development within this classification is limited to ten percent of the total development area for properties outside of the Commercial Node, as illustrated on the Burnt Store Area Map (SPAM Series Map #5). Residential may be developed independently of other uses; however, other uses may only be developed when integrated into a residential development plan.</p>
Zoning:	Development Standards:
Planned Development (PD)	<p>The purpose and intent of this district is to provide flexibility and to encourage concentrated, energy-efficient land development, and to provide opportunities to impose conditions to ensure that the proposed development is consistent and compatible with the surrounding neighborhood.</p> <p><u>Minimum lot and yard requirements.</u></p> <p>Internal lot and yard requirements shall be established through the PD rezoning process. Unless otherwise approved by the BCC or provided in Section 3-9-45.1, no structure shall be located closer to the peripheral property line of the PD than 25 feet</p>

	<p>or as required by section 3-9-88, "Waterfront property," as the same may be amended, whichever is greater.</p> <p><u>Maximum height of structures.</u></p> <p>The maximum height for structures shall be established through the PD rezoning process.</p> <p><u>Open space.</u></p> <p>Unless otherwise approved by the BCC or as provided in Section 3-9-45.1, a minimum of 20 percent of the entire PD parcel or phase shall be retained as open space.</p> <p><u>Internal circulation.</u></p> <p>All streets shall be designed to provide safe, efficient and convenient access to land uses within the development and to roadways adjacent to the development. In addition to vehicular thoroughfares, functional pedestrian and bicycle-path systems are required in accordance with the County's Land Development Regulations.</p> <p><u>Utilities.</u></p> <p>PDs shall be served by public water and sanitary sewers, storm and surface drainage systems, and other applicable utilities systems. The preceding sentence shall not apply if the developer:</p> <ol style="list-style-type: none"> 1. Provides private facilities, utilities or services approved by appropriate public agencies as substantially similar to public services which would otherwise be provided to the development under conventional zoning; and 2. Makes provision for their continued operation thereafter, or until public facilities, utilities and services are available for use. <p><u>Major Modification.</u></p> <p>Generally, additions, deletions, changes in the use, density, or other specifications of an approved PD Concept Plan or Final Detail Site Plan are considered a major modification. In reaching a decision as to whether or not the change(s) are substantial enough to be considered a major modification, and subject to reapplication as a new development plan, the Zoning Official shall, after reviewing the following criteria, determine whether the changes are substantial enough to be considered a major modification:</p> <ol style="list-style-type: none"> 1. An increase of development rights shall generally be considered a major modification. In no case shall the intensity or density be increased over the maximum permitted by Future Land Use Map designation of the subject property. 2. Any change in parking areas resulting in an increase or reduction of ten percent or more in the number of spaces approved. 3. Structural alterations significantly affecting the basic size and form of the building(s) as shown on the approved plan. Changes in form will only be considered substantial if they occur within 200 feet of the boundary of the PD district. 4. Substantial changes in location or type of pedestrian or vehicular accesses or circulation, as determined by the County Engineer.
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Table 2

6. Surrounding Land Uses and their Future Land Use and Zoning Designations:

Direction:	Existing Land Use:	FLUM Designation:	Zoning District Designation:
North	Zemel Road Vacant lands designated for residential development State-owned lands	Burnt Store Village Residential (BSVR) Resource Conservation (RC)	Planned Development (PD) Residential Estate (RE-1) - The base density is one unit per 10 acres per Burnt Store Area Plan.
East	Environmentally sensitive land owned by State of Florida	Resource Conservation	Agricultural Estates (AE) - 1 unit per 10 acres
South	Environmentally sensitive land owned by TIITF/State of Florida	Resource Conservation	Environmentally Sensitive (ES)
West	Vacant property owned by the applicant Residential neighborhood including single-family homes and vacant residential lots	Burnt Store Village Residential (BSVR) Low Density Residential (LDR)	Planned Development (PD) Residential single-family 3.5 (RSF-3.5)

Table 3

7. Buildout Calculations (square footage or density):

The subject property currently retains 344 non-CHHA residential units. The proposed residential development is up to 715 dwelling units. If the Board approves this PD rezoning, in order to develop the site based on the proposed General PD Concept Plan, the applicant/property owner must transfer residential dwelling units onto the subject site for any development above 344 units. The entire site for residential development is located within a designated Emerging Neighborhood. The subject property is qualified as a receiving zone based on the following:

- The site for residential development meets FLU Policy 1.2.10, TDU Receiving Zones, which states that Receiving Zones inside the Urban Service Area include lands within the following designations of FLUM Series Map #2: 2050 Framework: 1. Emerging Neighborhoods.
- FLU Policy 1.2.11. Prohibited Receiving Zones does not apply to the subject property because the subject property does not meet any criteria listed in FLU Policy 1.2.11. The policy states:

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; except that when a portion of a property contains these 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 or may have the required 100-foot buffer reduced only if approved through an environmental resource permit or applicable State or Federal permit. Any development shall comply with Federal and State regulations as well as policies set forth in this Plan to protect environmentally sensitive resources. An historical or archaeological resource 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) unless public potable water and sanitary sewer services are available.
7. Land on a barrier island, except that density may be transferred within Manasota Key or Sandpiper Key.

8. Is subject property in a Community, Special Planning Area or Overlay District? No
Subject property is located within the boundary of the Burnt Store Area Plan area.

9. Is subject property located adjacent to existing or proposed Federal, State, or County wildlife management areas, parks, preserves or reserves? No
The subject property is located adjacent to the State-owned lands to the east and south. (SPAM Maps, #52, #92 and #93)

10. Is the proposed land use designation consistent with the provisions of the:

- a. Charlotte Harbor Aquatic Preserves Management Plan? (SPAM Map #53)
Subject property is located outside the boundary of the Charlotte Harbor Aquatic Preserves.
- b. Lemon Bay Aquatic Preserve Management Plan? (SPAM Map #53)
Subject property is located outside the boundary of the Lemon Bay Aquatic Preserve.

11. Does subject property contain archaeological or historic resources? (SPAM Map #3, #44 & #70) According to the document contained in the previous applications for the subject property, no archeological or historical resources on the subject property or within one-half mile of the properties.

12. Are there wetlands on the property? Yes, according to the submitted "Native Habitat Management Plan" prepared by Kimley-Horn and Associates, Inc., dated October 2025, the site contains wetlands.

- a. Number of acres of Category I: Yes.
- b. Number of acres of Category II: None.

13. Natural Resources:

- a. **Significant natural resources or critical habitat for endangered species:** According to the submitted "Environmental Narrative" prepared by Kimley-Horn and Associates, Inc., dated April 2025, *a bald eagle nest was previously observed onsite, adjacent to the drainage canal extending through the center of the project area. Subsequent field reconnaissance did not observe any bald eagle nests within the project area. In addition to the database searches, scientists with Kimley-Horn have performed multiple field surveys of the project. The most recent field survey was conducted by Jeb King in January 2025. Species surveyed for included the species listed in the table below. Methodology utilized to evaluate the site for gopher tortoise was consistent with FFWCC Gopher Tortoise Permitting Guidelines. There is a nest located offsite to the south (greater than 660' from the proposed development). No potentially occupied burrows.*
- b. **Possible impacts to groundwater, surface water, wetlands or other significant natural resources:** None have been identified.
- c. Is subject property in the **Watershed Overlay District?** (FLUM Map #4)No
- d. Is subject property in the **Surface Water Protection Overlay District?** (FLUM Map #5)No
- e. Is subject property in the **Prime Aquifer Recharge Area?** (FLUM Map #6)No
- f. Is subject property in a **Wellhead Protection Area?** (FLUM Map #7)No

14. Coastal Planning:

- a. Is the subject site within the **Coastal Planning Area**? (FLUM Map #13) Yes
Subject Property is located within Zone 2 and Zone 3 of the Coastal Planning Area.
- b. Could the proposed changes impact beach accessibility? No
- c. Could the proposed change affect other waterfront access? No
- d. Flood Zone: The subject site is in Flood Zone “D”. Flood Zone “D” is an area in which flood hazards are undetermined, but possible. (per FEMA Codes)
- e. Storm Surge Evacuation Zone: The site is located within Evacuation Zone “C”.
- f. Is the subject site within the Coastal High Hazard Area? (FLUM Map #14) No
- g. Could the proposed changes impact evacuation times? No

15. Charlotte County Facilities and Services:

- a. Nearest Park: **Bissett Park** (SPAM Map #74)
Address: 12455 Path Avenue, Punta Gorda
Distance: approximately 7.6 miles to the north of subject property
- b. Nearest Police Station: **District 4 Charlotte County Sheriff’s Office** (SPAM Map #25)
Address: 7474 Utilities Road, Punta Gorda
Distance: approximately 14 miles to the north of subject property
- c. Nearest Fire/EMS Station: **Charlotte County Fire Station No. 5** (SPAM Map #22)
Address: 26287 Notre Dame Boulevard, Punta Gorda
Response Time: approximate response time is 4-6 minutes (SPAM Map #39)
- d. Nearest Library: **Punta Gorda Charlotte Library** (SPAM Map #73)
Address: 401 Shreve St, Punta Gorda
Distance: approximately 13.9 miles to the northwest of subject property
- e. Nearest Hospital: **ShorePoint Health Punta Gorda** (SPAM Map #24)
Address: 809 E Marion Ave, Punta Gorda
Distance: approximately 14.5 miles to the northwest of subject property
- f. Nearest Emergency Shelter: **Kingsway Elementary School** (SPAM Map #21)
Address: 23300 Quasar Boulevard, Port Charlotte
Distance: approximately 21 miles to the northwest of subject property
- g. Public School Attendance Boundary:
 - 1. Elementary School: **Sallie Jones Elementary School** (SFAM Map #1)
Address: 1230 Narranja Street, Punta Gorda
Distance: approximately 13.6 miles to the northwest of subject property
 - 2. Middle School: **Punta Gorda Middle School** (SFAM Map #2)
Address: 825 Carmalita Street, Punta Gorda
Distance: approximately 13.5 miles to the northwest of subject property
 - 3. High School: **Charlotte High School** (SFAM Map #3)
Address: 1250 Cooper Street, Punta Gorda
Distance: approximately 13.7 miles to the northwest of subject property

16. Concurrency:

- a. **Roads Level of Service:** After reviewing the traffic impact statement prepared by Kimley-Horn and Associates, Inc., dated April 21, 2025, and submitted with the application, staff from the County Public Works Department agrees with the

conclusion which states that: "Access to the site, as shown in the conceptual site plan, is provided through the following access connections:

- One (1) full-access connection along Zemel Road
- One (1) cross access connection to Firelight South

The study area roadway segments are anticipated to operate within Charlotte County's adopted Level-of-Service standards in the future total traffic conditions."

b. Potable Water Level of Service:

1. *Provider's Name:* Charlotte County Utilities (SPAM Map #66)
2. *Analysis:* The site is not currently provided with the water service, it is located in an area serviced by Charlotte County Utilities, the Burnt Store site.

c. Sanitary Sewage Level of Service:

1. *Provider's Name:* Charlotte County Utilities (SPAM Map #69)
2. *Analysis:* The site is not currently provided with the water service, it is located in an area serviced by Charlotte County Utilities, the Burnt Store site.

d. Park and Recreation Level of Service:

1. *Level of Service:***Adopted Level of Service is 16 Park, Recreation & Open Space points (16 PROS points) per 1,000 population.**
2. *Analysis:*.....**A 2009 analysis shows that the County currently has 17.2 PROS points per 1,000 population.**

e. Schools:.....The proposed change will decrease the approved residential development rights from 894dwelling units to 715 units; therefore, the student population is expected to be reduced as a result of the proposed rezoning.

1. *Refuse Collector:*.....**Waste Management Inc. of Florida or another provider**
2. *Solid Waste Provider:***Public Works Dept. - Municipal Solid Waste Management**
3. *Level of Service:* Zemel Road landfill currently has capacity to dispose of 4.6 million cubic yards of waste. The landfill has a projected remaining lifespan to the year 2027. An estimated 170 acres for future disposal cells will provide disposal capacity beyond the year 2050.
 - Solid Waste (Landfill) 5.0 pounds per day per equivalent fulltime resident
 - Solid Waste (Recycle) 2.2 pounds per day per equivalent fulltime resident

f. Drainage: Level of Service:

New arterials: flood free in the 100-year rainfall event.

New and improved collectors: not less than one lane of traffic in each direction above the design high water elevation from a 25-year, 24-hour rainfall.

New local residential streets: designed and constructed with the pavement centerline at or above the design high water elevation resulting from a 5-year, 24-hour rainfall.

Storm-water management facilities: in all new subdivisions manage a 25-year, 24-hour rainfall.

New parking facilities: maximum temporary detention depth of nine inches (9") resulting from a 5-year, 24-hour rainfall.

New development on existing platted lots (except single-family, duplex, and triplex dwellings):
on-site storm-water management for a 25-year, 24-hour rainfall.

Analysis: The SW Florida Water Management District and the Community Development Department review storm-water management plans on a project specific basis.

17. Capital Improvements Program:

Are any updates to the CIP required because of this petition? No

18. Intergovernmental Coordination:

Does this amendment require comments from, or coordination with, adjacent governments or other governmental agencies? No.
However, the advertisement of this application will be emailed to the City of Punta Gorda.

19. Has a public hearing been held on this property within the last year? No.

20. 2050 Comprehensive Plan: Goals, Objectives, and Policies that may be relevant to the proposed amendment:

Various goals, objectives, and policies set forth in the County's Comprehensive Plan as analyzed above.

Part 5 – Approval Criteria

21. Standards for Rezoning Approval: For the rezoning of land, the final action of the Board shall be made after giving due consideration to the following criteria:

a. Would the proposed change be consistent with the Comprehensive Plan?

Finding: The subject property is designated as Burnt Store Village Residential (BSVR) on the 2030 Future Land Use Map. The site is also located within the Burnt Store Area Plan. The proposed Planned Development (PD) rezoning, which is a major modification to the existing PD, if approved, will allow for residential development up to 715 units (a reduction by 179 units). The proposed change is consistent with and supported by various goals, objectives, and policies set forth in the County's Comprehensive Plan and the vision and intent of the Burnt Store Area Plan.

b. The existing land use pattern in adjacent areas:

Finding: The subject site is located in the South County area and within the boundary of the Burnt Store Area Plan. An approved PD via Ordinance Number 2024-034 (Attachment 7) for 273 residential units for property located immediately to the west of the subject property. Further to the west, there is an established residential neighborhood (Punta Gorda Isles), which includes single-family homes and some vacant residential lots. Across Zemel Road, to the northwest of the subject property, there are vacant lands designated for residential development, the State-owned lands, and the Burnt Store Colony Mobile Home Park. To the northwest, across Zemel Road, the property, containing approximately 349.1 acres, is also owned by the applicant, allows for a residential development up to 1,000 units without any commercial uses or a mixture of residential and commercial

development up to 466 units and commercial uses up to 100,000 square feet. To the east and south of the subject site, there is environmentally sensitive land owned by the State of Florida.

c. The capacity of public facilities and services, including but not limited to schools, roads, recreational facilities, wastewater treatment, water supply, and storm-water drainage facilities:

Finding: The proposed change will decrease the approved residential development rights from 894 dwelling units to 715 dwelling units; therefore, the student population is expected to be reduced as a result of the proposed rezoning. In addition, the following existing PD condition shall remain in order to address the school concurrency issues:

- *If the school concurrency process is still required under a valid interlocal agreement, prior to Final Detail Site Plan or Final Plat approval for any residential development for any Phases, the applicant/property owner must obtain a School Concurrency Availability Determination Letter (SCADL) from Charlotte County Public Schools (CCPS) indicating that sufficient capacity exists or has been accounted for through a binding and enforceable agreement with CCPS to address school concurrency.*
- *If an agreement is required, the terms of the agreement shall be incorporated into the Planned Development Final Detail Site Plan approval and shall not constitute a major modification.*

After reviewing the traffic impact statement prepared by Kimley-Horn and Associates, Inc., dated April 21, 2025, and submitted with the application, staff from the County Public Works Department agrees with the conclusion which states that: “Access to the site, as shown in the conceptual site plan, is provided through the following access connections:

- One (1) full-access connection along Zemel Road
- One (1) cross access connection to Firelight South

The study area roadway segments are anticipated to operate within Charlotte County’s adopted Level-of-Service standards in the future total traffic conditions.” However, based on Article XIV. Concurrency Management, staff still has some concerns related to the future traffic concurrency/capacity on both Burnt Store Road and Zemel Road given the development trend in that area. Therefore, County staff requested developer to prepare cumulative traffic impact statement for Firelight developments (North, South, East) and also staff proposes the following PD transportation condition:

Prior to Final Detail Site Plan approval, the applicant shall be required to meet concurrency per Article XIV. Concurrency Management. As to transportation concurrency, the applicant shall be required to account for project traffic and previously approved developments which have reserved capacity in the roadway level of service analysis. If the

level of service (LOS) falls below the adopted minimum standard due to the proposed development traffic, a proportionate share analysis may be required to satisfy concurrency. However, based on Article XIV. Concurrency Management, staff still has some concerns related to the future traffic concurrency/capacity on Burnt Store Road given the development trend in that area. Therefore, the following PD condition remains:

The site is located in an area serviced by Charlotte County Utilities, the Burnt Store site. The proposed change will decrease the already approved maximum residential development rights from 894 dwelling units to 715 units; therefore, it should decrease the water usage and have less sewage generation. In addition, the Charlotte County Utilities retains sufficient capacity to serve the proposed residential development.

Therefore, it is staff's professional opinion that the proposed changes shall not create any concurrency issues.

d. Would the proposed change adversely influence living conditions or property values in adjacent areas?

Finding: The proposed changes will decrease the approved maximum residential development rights by 179 dwelling units. The proposed PD conditions will ensure that the proposed development shall not create any negative noise or visual impacts on surrounding existing and future residents. The approved PD conditions require a 25-foot setback along the subject property boundary and an enhanced landscaping and buffer. It is staff's professional opinion that the proposed changes shall not adversely influence living conditions or property values in adjacent areas.

e. Would the proposed change affect public safety?

Finding: The proposed residential development as conditioned shall not affect public safety.

Attachment 1

Ordinance Number 2007-063

September 27, 2007

ORDINANCE
NUMBER 2007 - 063

AN ORDINANCE APPROVING AN AMENDMENT TO THE CHARLOTTE COUNTY ZONING ATLAS FROM AGRICULTURE ESTATES (AE) TO PLANNED DEVELOPMENT (PD), FOR PROPERTY LOCATED AT 26901 OR 27001 ZEMEL ROAD, IN THE PUNTA GORDA AREA, CONTAINING 338.02 ACRES MORE OR LESS; PETITION Z-07-06-40-TDU; APPLICANT, MARK LINDNER, AS TRUSTEE OF THE BURNT STORE EAST LAND TRUST; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Tuesday, September 18, 2007, the Board of County Commissioners of Charlotte County ("Board") reviewed Petition Z-07-06-40-TDU which requested a rezoning from Agriculture Estates (AE) to Planned Development (PD) on 338.02 acres more or less of property owned by Mark Lindner, as Trustee of the Burnt Store East Land Trust, 2206 Majestic Court, Naples, Florida 34110, and described as located at 26901 or 27001 Zemel Road, Punta Gorda area, in Commission District II, and more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein; and

WHEREAS, Mark Lindner, as Trustee of the Burnt Store East Land Trust, as the applicant, seeks a rezoning to Planned Development to allow a 894-unit residential development including single-family units as well as multi-family units; and

WHEREAS, Petition Z-07-06-40-TDU has previously been heard by the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on

1 the findings and analysis presented in the Planning and Zoning Division staff
2 report dated July 20, 2007, revised on August 16, 2007, and the evidence
3 presented to the P&Z Board, has been recommended for approval with
4 conditions; and

5 WHEREAS, after due consideration, based on the Planning and
6 Zoning Division staff report dated July 20, 2007, revised on August 16, 2007, and
7 the evidence presented to it, the Board has found that approval of Petition
8 Z-07-06-40-TDU is consistent with the 1997-2010 Charlotte County
9 Comprehensive Plan, and that it meets the requirements for the granting of a
10 rezoning, and;

11 WHEREAS, based on the above findings, the Board has
12 determined it to be in the best interests of the County to rezone the subject
13 property from Agriculture Estates (AE) to Planned Development (PD).

14 NOW, THEREFORE, BE IT ORDAINED by the Board of County
15 Commissioners of Charlotte County, Florida:

16 SECTION 1. The following petition for an amendment to the
17 Charlotte County Zoning Atlas is hereby approved subject to the conditions
18 contained in the attached Exhibit "B":

19 Petition Z-07-06-40-TDU requesting rezoning from
20 Agriculture Estates (AE) to Planned Development
21 (PD) for 338.02 acres more or less of property owned
22 by Mark Lindner, as Trustee of the Burnt Store East
23 Land Trust, and described as located at 26901 or
24 27001 Zemel Road, in the Punta Gorda area,
25 Charlotte County, Florida, and more particularly
26 described in Exhibit "A" attached hereto and
27 incorporated herein by this reference.
28

1 SECTION 2. That the zoning for this property shall run with the
2 property and shall apply to any subsequent owners, heirs and assigns.

3 SECTION 3. This ordinance shall take effect upon filing in the
4 Office of the Secretary of State, State of Florida.

5 PASSED AND DULY ADOPTED this 18 day of September, 2007.

6
7 BOARD OF COUNTY COMMISSIONERS
8 OF CHARLOTTE COUNTY, FLORIDA
9

10 By: Richard D. Loftis
11 Richard D. Loftis, Chairman
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14
15

16 ATTEST:
17 Barbara T. Scott, Clerk of
18 Circuit Court and Ex-Officio Clerk
19 to the Board of County Commissioners
20

21 By: Anne L. Pfahler
22 Deputy Clerk
23
24

25 APPROVED AS TO FORM
26 AND LEGAL SUFFICIENCY
27

28 By: Janette S. Knowlton
29 Janette S. Knowlton, County Attorney
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45 p:\public\karen\ord\small scale\Z-07-06-40-TDU.Mark Lindner, as Trustee of the Burnt Store East Land Trust
46 LR2007-442

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SEC. 28, TWP. 42 SOUTH, RGE. 23 EAST IN CHARLOTTE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

THE EAST ONE HALF OF SECTION 28 IN TOWNSHIP 42 SOUTH, RANGE 23 EAST, LYING AND BEING IN CHARLOTTE COUNTY, FLORIDA. SUBJECT TO A ROAD RIGHT OF WAY RECORDED IN DEED BOOK 48, PAGE 129, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

PARCEL CONTAINS 338.02 ACRES, MORE OR LESS.

EXHIBIT A

CONDITIONS:

- a. Development on the subject property shall occur as generally illustrated in the PD Concept Plan submitted by the applicant, prepared by Banks Engineering, dated March 29, 2007, and except such modifications as may be required to meet the conditions of the PD zoning district. In addition, the Development Review Committee (DRC) conditions of approval per letter dated July 2, 2007 are required to be met. The open habitat space area shall be no less than 158.32± acres. The PD Concept Plan includes 34.44± acres of lake area. Areas indicated for single-family development and multi-family development will be developed as such. Revisions consistent with the notes on the approved PD Concept Plan shall be permitted. Residential development standards shall be as indicated on the PD Concept Plan, with minor modifications allowed only to increase lot sizes.
- b. The subject property currently retains 33 units of density. The applicant is proposing to develop a total of 894 units including 714 multi-family units and 180 single-family units. The mix of multi-family units and single family units may be changed consistent with the PD Concept Plan. If more than 356 single family units are proposed, the applicant shall submit a revised Traffic Impact Statement and proportionate share analysis. The subject property shall require 861 units of transferred density. The transfer of density units must be approved by the Board of County Commissioners prior to Preliminary Plat application or Final DRC application, whichever shall occur first.
- c. No development shall occur prior to Final DRC approval.
- d. The developer shall minimize impervious surfaces within the development wherever practicable.
- e. A development time line and phasing plan for the entire PD shall be submitted prior to Final DRC approval. A monitoring report shall be submitted annually from the day of Final DRC approval until buildout, identifying the development activities which occurred during the past year and summarizing current and previous year statistics (as applicable).
- f. The maximum building height for residential development is 38 feet from the base flood elevation. The maximum building height within the recreation area is 40 feet from the base flood elevation.
- g. The roadways for this development shall be constructed to Charlotte County standards. If the roadways for this development are to be private, following Final DRC approval, the developer, and subsequently, the homeowner's association, is required to maintain all private roads within the development area.
- h. The development must utilize potable water and sanitary sewer utilities. The potable water and sanitary sewer lines must be connected to the site before any certificates of occupancy shall be issued. The developer must also extend re-used water utility lines along with the potable water and sanitary sewer lines throughout the development. A developer's agreement with Charlotte County Utilities for the extension of potable water, sanitary sewer, and re-use lines must be approved by the Board of County Commissioners prior to the final DRC application for any phase of development.
- i. The site shall be developed with a unified landscaping theme. Only Florida Friendly plantings and/or xeriscaping shall be allowed for landscape plantings within the common areas. The developer shall also make every effort to ensure that residential property owners within the development also utilize Florida Friendly plantings and xeriscape landscaping. The applicant shall institute an education program for all homeowners on the correct use of pesticides, herbicides, and fertilizers. A partnership

with the Cooperative Extension Service of the University of Florida to interact with the Florida Yards and Neighborhoods program is encouraged. Only natural organic or other slow release forms of fertilizers shall be utilized throughout the development.

j. All landscaping must be irrigated as necessary to ensure survival. When made available by the Utility, non-potable water shall be utilized for common area and private irrigation throughout the development. The developer is encouraged to construct grey water retention basins on site if at all possible. The developer, a homeowner's association, community development district or similar entity, is required to maintain all common areas within the development area.

k. The development must comply with Chapter 3-2, Article IX, Tree Requirements, of the Charlotte County Code. All heritage trees shall be preserved unless the applicant can provide substantial evidence that such preservation will cause the development of the site to be severely hindered. Should any heritage tree be removed, the applicant will plant a sufficient number of trees of the same species to equal the girth of the tree removed. These trees will not be counted as part of the points needed for development but in addition to those trees needed for points.

l. The developer shall maintain hydrogeology to all of the wetlands. The project must comply with Chapter 3-5, Article XV, Upland Buffer Zone requirements of the County Code. A naturally vegetated upland buffer zone shall be preserved along the perimeter of all wetlands and natural surface waters to the edge of development. The buffer shall be a minimum of fifteen (15) feet and average twenty-five (25) feet in width as measured from the landward limit of the wetland or surface water.

m. A Conservation Easement preserving in perpetuity all wetlands and associated buffer uplands in the area shall be granted to the County or the Southwest Florida Water Management District. A copy of the easement shall be sent to the County Attorney's Office and Comprehensive Planning Section of the Community Development Department for review and approval prior to being filed with the Clerk of the Circuit Court. The filing shall be completed prior to Preliminary Plat application or Final DRC application, whichever shall occur first.

n. A developer's agreement to fund the widening the Burnt Store Road shall be finalized and approved prior to the final DRC application for any phase of development.

o. Landscaping and Buffer requirements:

- i. At a minimum, the 25-foot PD setback for the property boundary adjacent to Zemel Road shall be landscaped.
- ii. At a minimum, a type B buffer must be placed within the 25-foot PD setback along the northern, eastern, and western portion of the property lines which are adjacent to the property zoned AE.
- iii. At a minimum, a type B Buffer must be placed within the multi-family development area which is adjacent to internal single-family development.
- iv. At a minimum, a type C buffer must be provided around the recreation area as it considered to be similar to an "active use park". The applicant must comply with Chapter 3-5, Article XVIII, Landscaping and Buffer Requirements, of the County Code.
- v. The developer is required to remove exotic/nuisance species from the subject property.

p. The developer shall obtain stormwater approval prior to final DRC approval. Applicable SWFWMD and Army Corp. permits must be obtained prior to the commencement of development. All stormwater facilities must be designed to protect groundwater and surface water resources.

q. The developer is required to provide a sidewalk throughout the subject site, with a minimum width of five (5) feet along at least one side of all internal roadways. An eight (8) foot wide bicycle/pedestrian trail is required along the northern property line on Zemel Road. The developer shall coordinate with the Department of Public Works. The sidewalk must be completed at the time of the 50% completion of the residential development.

r. The recreation areas shall be a total of 7.11± acres and will contain a clubhouse with a swimming pool together with other amenities such as a basketball court, tennis courts, and a parking area. The final design of the recreation area shall be determined at Final Detail Plan approval. The clubhouse shall be built to the highest wind-bearing loads required by Charlotte County and will be made available for use as a post-storm hurricane refuge to the proposed neighborhood following a natural disaster. It is understood that the clubhouse will not be able to accommodate all residents of the community.

s. The applicant shall work with the Charlotte County Public Schools Transportation Department to provide a bus stop(s) and shelter(s) for the community. Should the pick up and drop off point be located at the entrance of the development, the developer shall allow for sufficient room for a parent drop-off and bus pick-up along with an adequate means for traffic circulation at the entrance. A shelter for the children is required at the pick-up area(s). This addition must be shown on the Final DRC plan for approval.

t. Any changes in the Concept Plan must receive a recommendation from the Natural Resources Planning Section and the Comprehensive Planning Section.

u. The developer shall install a sign at the end of the cul-de-sac in the northwest corner of the project informing residents that, in the future, a connection may be provided to the properties to the west of the site.

Attachment 2

Ordinance Number 2023-019

CHG
BCC

FILED WITH THE DEPARTMENT OF STATE April 26, 2023

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF
CIRCUIT COURT
PAGE: 13
INSTR #: 3257119 Doc Type: GOV
Recorded: 04/28/2023 at 08:05 AM
Rec. Fee: RECORDING \$112.00

ORDINANCE
NUMBER 2023 - 019

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 3-9-45, PLANNED DEVELOPMENT, UNDER CHAPTER 3-9, ZONING, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, APPROVING THE REQUEST TO EXTEND THE TIME LIMITATION OF THE PLANNED DEVELOPMENT (PD) CONCEPT PLAN APPROVED VIA ORDINANCE NUMBER 2007-063, FOR PROPERTY GENERALLY LOCATED AT 26901 OR 27001 ZEMEL ROAD, IN THE PUNTA GORDA AREA; CONTAINING 338.02± ACRES; COMMISSION DISTRICT II; PETITION CPE-23-01; APPLICANT: LINDNER MARK L TRUSTEE; PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Tuesday, April 25, 2023, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition CPE-23-01, submitted by property owner and applicant, Lindner Mark L Trustee ("Applicant"), requesting to extend the Planned Development (PD) Concept Plan which was adopted by the Board via Ordinance Number 2007-063 on September 18, 2007; and

WHEREAS, the subject property is generally located at 26901 or 27001 Zemel Road, in the Punta Gorda area, containing 338.02 acres more or less ("Property"); and

WHEREAS, on September 18, 2007, the Board approved an amendment to the Zoning Atlas from Agriculture Estates (AE) to Planned Development (PD) for the Property, along with its associated Planned Development (PD) Concept Plan, via Ordinance Number 2007-063 (attached as Exhibit "A"), in order to have a residential development up to 894 units; and

WHEREAS, since the Board approved this PD rezoning, along with its associated Planned Development (PD) Concept Plan, no density has been transferred onto the Property and no Final Detail Site Plan has been submitted; and

WHEREAS, Section 3-9-45(d)(3)d.1. of the Code of Laws and Ordinances of Charlotte County, Florida ("Code") states that "the applicant/property owner may petition the BCC to extend the expiration date of the Planned Development (PD) Concept Plan. Such request shall be accompanied by a fee as established by the BCC. The extension shall contain a provision requiring the Planned Development (PD) Concept Plan to conform to the Code in effect at the time of the granting of the extension and other reasonable conditions as the BCC may impose"; and

WHEREAS, pursuant to Section 3-9-45(d)(3)d.1. of the Code, the Applicant has submitted a request to extend the Planned Development (PD) Concept Plan; and

WHEREAS, after due consideration, based on the findings and analysis provided by County Staff and the evidence presented to it, the Board has found that approval of Petition CPE-23-01 is consistent with the County's Comprehensive Plan, and that it meets the requirements for the granting of an extension; and

WHEREAS, based on the above findings, the Board has determined it to be in the best interests of the County to extend the Planned

Development (PD) Concept Plan (attached as Exhibit "B") until a Final Detail Site Plan is approved by the Board.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Charlotte County, Florida ("Board"):

SECTION 1. Petition CPE-23-01, submitted by property owner and applicant, Lindner Mark L Trustee, to extend the Planned Development (PD) Concept Plan until a Final Detail Site Plan is approved by the Board, is hereby approved.

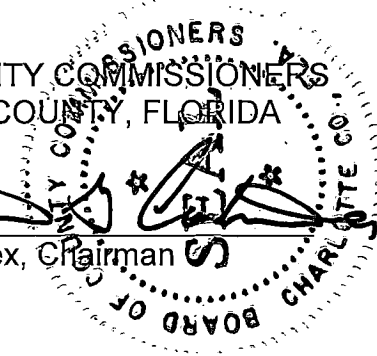
SECTION 2. This Ordinance shall take effect upon filing in the Office of the Secretary of State, State of Florida.

[SIGNATURE PAGE FOLLOWS]

PASSED AND DULY ADOPTED this 25th day of April, 2023.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: 
For William G. Truex, Chairman

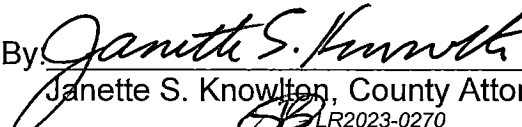


ATTEST:

Roger D. Eaton, Clerk of the Circuit Court
and Ex-Officio Clerk of the
Board of County Commissioners

By: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: 
Janette S. Knowlton, County Attorney
LR2023-0270

September 27, 2007

ORDINANCE

NUMBER 2007 - 063

AN ORDINANCE APPROVING AN AMENDMENT TO THE CHARLOTTE COUNTY ZONING ATLAS FROM AGRICULTURE ESTATES (AE) TO PLANNED DEVELOPMENT (PD), FOR PROPERTY LOCATED AT 26901 OR 27001 ZEMEL ROAD, IN THE PUNTA GORDA AREA, CONTAINING 338.02 ACRES MORE OR LESS; PETITION Z-07-06-40-TDU; APPLICANT, MARK LINDNER, AS TRUSTEE OF THE BURNT STORE EAST LAND TRUST; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Tuesday, September 18, 2007, the Board of County Commissioners of Charlotte County ("Board") reviewed Petition Z-07-06-40-TDU which requested a rezoning from Agriculture Estates (AE) to Planned Development (PD) on 338.02 acres more or less of property owned by Mark Lindner, as Trustee of the Burnt Store East Land Trust, 2206 Majestic Court, Naples, Florida 34110, and described as located at 26901 or 27001 Zemel Road, Punta Gorda area, in Commission District II, and more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein; and

WHEREAS, Mark Lindner, as Trustee of the Burnt Store East Land Trust, as the applicant, seeks a rezoning to Planned Development to allow a 894-unit residential development including single-family units as well as multi-family units; and

WHEREAS, Petition Z-07-06-40-TDU has previously been heard by the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on



Lindner

1 the findings and analysis presented in the Planning and Zoning Division staff
2 report dated July 20, 2007, revised on August 16, 2007, and the evidence
3 presented to the P&Z Board, has been recommended for approval with
4 conditions; and

5 WHEREAS, after due consideration, based on the Planning and
6 Zoning Division staff report dated July 20, 2007, revised on August 16, 2007, and
7 the evidence presented to it, the Board has found that approval of Petition
8 Z-07-06-40-TDU is consistent with the 1997-2010 Charlotte County
9 Comprehensive Plan, and that it meets the requirements for the granting of a
10 rezoning, and;

11 WHEREAS, based on the above findings, the Board has
12 determined it to be in the best interests of the County to rezone the subject
13 property from Agriculture Estates (AE) to Planned Development (PD).

14 NOW, THEREFORE, BE IT ORDAINED by the Board of County
15 Commissioners of Charlotte County, Florida:

16 SECTION 1. The following petition for an amendment to the
17 Charlotte County Zoning Atlas is hereby approved subject to the conditions
18 contained in the attached Exhibit "B":

19 Petition Z-07-06-40-TDU requesting rezoning from
20 Agriculture Estates (AE) to Planned Development
21 (PD) for 338.02 acres more or less of property owned
22 by Mark Lindner, as Trustee of the Burnt Store East
23 Land Trust, and described as located at 26901 or
24 27001 Zemel Road, in the Punta Gorda area,
25 Charlotte County, Florida, and more particularly
26 described in Exhibit "A" attached hereto and
27 incorporated herein by this reference.
28

SECTION 3. This ordinance shall take effect upon filing in the Office of the Secretary of State, State of Florida.

PASSED AND DULY ADOPTED this 18 day of September, 2007.

By: Richard D. Loftis
Richard D. Loftis, Chairman

By: Anne L. Pahlke
Deputy Clerk

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney

RB
LR 2007-442

3

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SEC. 28, TWP. 42 SOUTH, RGE. 23 EAST IN CHARLOTTE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

THE EAST ONE HALF OF SECTION 28 IN TOWNSHIP 42 SOUTH, RANGE 23 EAST, LYING AND BEING IN CHARLOTTE COUNTY, FLORIDA. SUBJECT TO A ROAD RIGHT OF WAY RECORDED IN DEED BOOK 48, PAGE 129, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

PARCEL CONTAINS 338.02 ACRES, MORE OR LESS.

EXHIBIT A

CONDITIONS:

a. Development on the subject property shall occur as generally illustrated in the PD Concept Plan submitted by the applicant, prepared by Banks Engineering, dated March 29, 2007, and except such modifications as may be required to meet the conditions of the PD zoning district. In addition, the Development Review Committee (DRC) conditions of approval per letter dated July 2, 2007 are required to be met. The open habitat space area shall be no less than 158.32± acres. The PD Concept Plan includes 34.44± acres of lake area. Areas indicated for single-family development and multi-family development will be developed as such. Revisions consistent with the notes on the approved PD Concept Plan shall be permitted. Residential development standards shall be as indicated on the PD Concept Plan, with minor modifications allowed only to increase lot sizes.

b. The subject property currently retains 33 units of density. The applicant is proposing to develop a total of 894 units including 714 multi-family units and 180 single-family units. The mix of multi-family units and single family units may be changed consistent with the PD Concept Plan. If more than 356 single family units are proposed, the applicant shall submit a revised Traffic Impact Statement and proportionate share analysis. The subject property shall require 861 units of transferred density. The transfer of density units must be approved by the Board of County Commissioners prior to Preliminary Plat application or Final DRC application, whichever shall occur first.

c. No development shall occur prior to Final DRC approval.

d. The developer shall minimize impervious surfaces within the development wherever practicable.

e. A development time line and phasing plan for the entire PD shall be submitted prior to Final DRC approval. A monitoring report shall be submitted annually from the day of Final DRC approval until buildout, identifying the development activities which occurred during the past year and summarizing current and previous year statistics (as applicable).

f. The maximum building height for residential development is 38 feet from the base flood elevation. The maximum building height within the recreation area is 40 feet from the base flood elevation.

g. The roadways for this development shall be constructed to Charlotte County standards. If the roadways for this development are to be private, following Final DRC approval, the developer, and subsequently, the homeowner's association, is required to maintain all private roads within the development area.

h. The development must utilize potable water and sanitary sewer utilities. The potable water and sanitary sewer lines must be connected to the site before any certificates of occupancy shall be issued. The developer must also extend re-used water utility lines along with the potable water and sanitary sewer lines throughout the development. A developer's agreement with Charlotte County Utilities for the extension of potable water, sanitary sewer, and re-use lines must be approved by the Board of County Commissioners prior to the final DRC application for any phase of development.

i. The site shall be developed with a unified landscaping theme. Only Florida Friendly plantings and/or xeriscaping shall be allowed for landscape plantings within the common areas. The developer shall also make every effort to ensure that residential property owners within the development also utilize Florida Friendly plantings and xeriscape landscaping. The applicant shall institute an education program for all homeowners on the correct use of pesticides, herbicides, and fertilizers. A partnership

with the Cooperative Extension Service of the University of Florida to interact with the Florida Yards and Neighborhoods program is encouraged. Only natural organic or other slow release forms of fertilizers shall be utilized throughout the development.

j. All landscaping must be irrigated as necessary to ensure survival. When made available by the Utility, non-potable water shall be utilized for common area and private irrigation throughout the development. The developer is encouraged to construct grey water retention basins on site if at all possible. The developer, a homeowner's association, community development district or similar entity, is required to maintain all common areas within the development area.

k. The development must comply with Chapter 3-2, Article IX, Tree Requirements, of the Charlotte County Code. All heritage trees shall be preserved unless the applicant can provide substantial evidence that such preservation will cause the development of the site to be severely hindered. Should any heritage tree be removed, the applicant will plant a sufficient number of trees of the same species to equal the girth of the tree removed. These trees will not be counted as part of the points needed for development but in addition to those trees needed for points.

l. The developer shall maintain hydrogeology to all of the wetlands. The project must comply with Chapter 3-5, Article XV, Upland Buffer Zone requirements of the County Code. A naturally vegetated upland buffer zone shall be preserved along the perimeter of all wetlands and natural surface waters to the edge of development. The buffer shall be a minimum of fifteen (15) feet and average twenty-five (25) feet in width as measured from the landward limit of the wetland or surface water.

m. A Conservation Easement preserving in perpetuity all wetlands and associated buffer uplands in the area shall be granted to the County or the Southwest Florida Water Management District. A copy of the easement shall be sent to the County Attorney's Office and Comprehensive Planning Section of the Community Development Department for review and approval prior to being filed with the Clerk of the Circuit Court. The filing shall be completed prior to Preliminary Plat application or Final DRC application, whichever shall occur first.

n. A developer's agreement to fund the widening the Burnt Store Road shall be finalized and approved prior to the final DRC application for any phase of development.

o. Landscaping and Buffer requirements:

- i. At a minimum, the 25-foot PD setback for the property boundary adjacent to Zemel Road shall be landscaped.
- ii. At a minimum, a type B buffer must be placed within the 25-foot PD setback along the northern, eastern, and western portion of the property lines which are adjacent to the property zoned AE.
- iii. At a minimum, a type B Buffer must be placed within the multi-family development area which is adjacent to internal single-family development.
- iv. At a minimum, a type C buffer must be provided around the recreation area as it considered to be similar to an "active use park". The applicant must comply with Chapter 3-5, Article XVIII, Landscaping and Buffer Requirements, of the County Code.
- v. The developer is required to remove exotic/nuisance species from the subject property.

p. The developer shall obtain stormwater approval prior to final DRC approval. Applicable SWFWMD and Army Corp. permits must be obtained prior to the commencement of development. All stormwater facilities must be designed to protect groundwater and surface water resources.

q. The developer is required to provide a sidewalk throughout the subject site, with a minimum width of five (5) feet along at least one side of all internal roadways. An eight (8) foot wide bicycle/pedestrian trail is required along the northern property line on Zemel Road. The developer shall coordinate with the Department of Public Works. The sidewalk must be completed at the time of the 50% completion of the residential development.

r. The recreation areas shall be a total of 7.11± acres and will contain a clubhouse with a swimming pool together with other amenities such as a basketball court, tennis courts, and a parking area. The final design of the recreation area shall be determined at Final Detail Plan approval. The clubhouse shall be built to the highest wind-bearing loads required by Charlotte County and will be made available for use as a post-storm hurricane refuge to the proposed neighborhood following a natural disaster. It is understood that the clubhouse will not be able to accommodate all residents of the community.

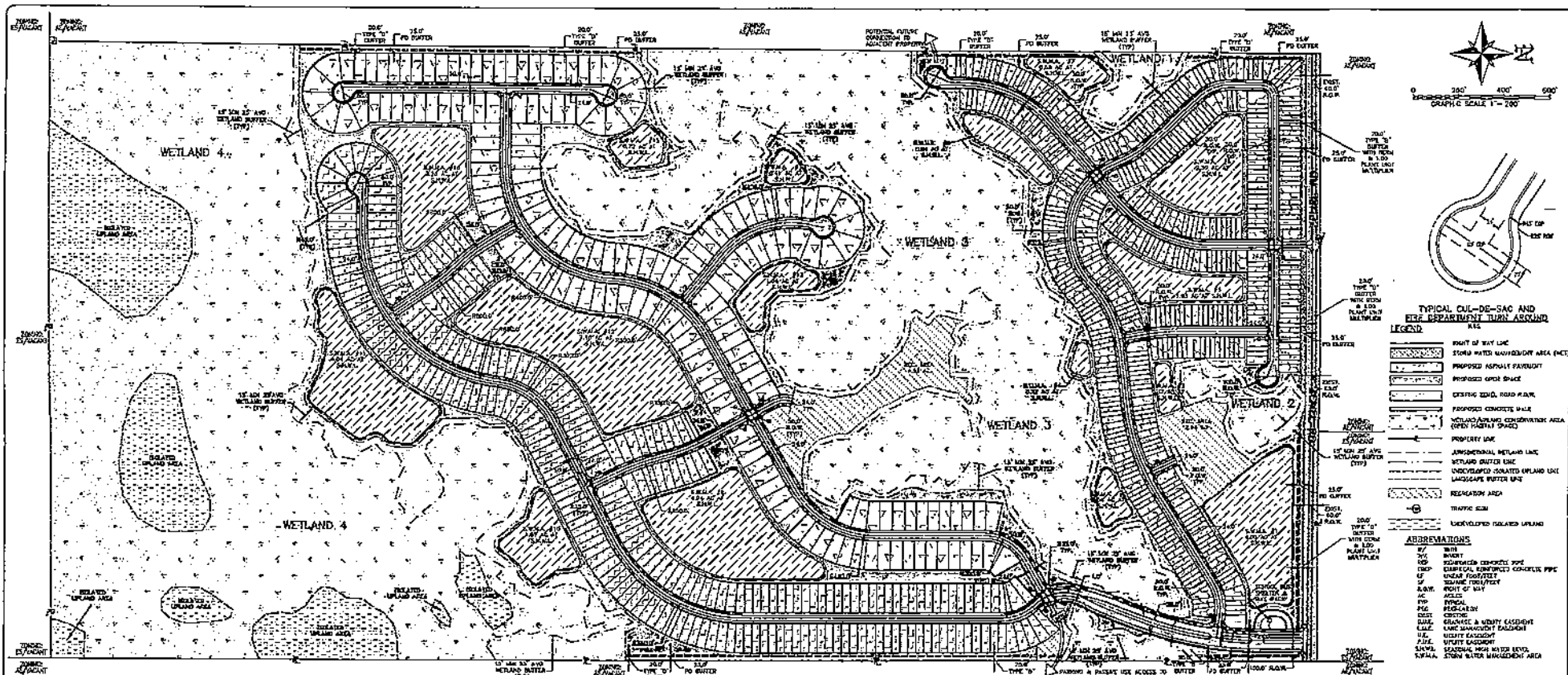
s. The applicant shall work with the Charlotte County Public Schools Transportation Department to provide a bus stop(s) and shelter(s) for the community. Should the pick up and drop off point be located at the entrance of the development, the developer shall allow for sufficient room for a parent drop-off and bus pick-up along with an adequate means for traffic circulation at the entrance. A shelter for the children is required at the pick-up area(s). This addition must be shown on the Final DRC plan for approval.

t. Any changes in the Concept Plan must receive a recommendation from the Natural Resources Planning Section and the Comprehensive Planning Section.

u. The developer shall install a sign at the end of the cul-de-sac in the northwest corner of the project informing residents that, in the future, a connection may be provided to the properties to the west of the site.

PD Concept Plan





DEVELOPMENT STANDARDS

AREA	AREA "1"	AREA "2"	AREA "3"	AREA "4"
AREA DESIGNATION	AREA "1"	AREA "2"	AREA "3"	AREA "4"
PERMITTED USES	SMALL FAMILY ATTACHED	SMALL FAMILY ATTACHED	SMALL FAMILY ATTACHED	SMALL FAMILY ATTACHED
PROPOSED # OF UNITS	150	150	150	150
MIN. LOT REQUIREMENT (SQ. FT.)	1,500	1,500	1,500	1,500
MIN. LOT AREA (SQ. FT.)	200	200	200	200
FRONT YARD SETBACK (FEET)	10'	10'	10'	10'
REAR YARD SETBACK (FEET)	10'	10'	10'	10'
MINIMUM FRONT SETBACK (FEET)	10'	10'	10'	10'
MINIMUM REAR SETBACK (FEET)	10'	10'	10'	10'
MINIMUM SIDE SETBACK (FEET)	10'	10'	10'	10'
MINIMUM FRONT SETBACK (FEET)	10'	10'	10'	10'
MINIMUM REAR SETBACK (FEET)	10'	10'	10'	10'
MINIMUM SIDE SETBACK (FEET)	10'	10'	10'	10'
MINIMUM FRONT SETBACK (FEET)	10'	10'	10'	10'
MINIMUM REAR SETBACK (FEET)	10'	10'	10'	10'
MINIMUM SIDE SETBACK (FEET)	10'	10'	10'	10'

SITE PLAN SUMMARY

1) SITE PLAN DATA

PRINCIPAL AREAS

WETLANDS

WETLAND 1

WETLAND 2

WETLAND 3

WETLAND 4

WETLAND 5

WETLAND 6

WETLAND 7

WETLAND 8

WETLAND 9

WETLAND 10

WETLAND 11

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WETLAND 201



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

April 27, 2023

Roger D. Eaton
Clerk of the Circuit Court
County Comptroller
Charlotte County
18500 Murdock Circle, Room 416
Port Charlotte, Florida 33948

Attention: Dawn Johnston

Dear Roger Eaton,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2023-019, which was filed in this office on April 26, 2023.

Sincerely,

Anya Owens
Program Administrator

ACO/wlh



Ticket# 3888016
04-25-23
AD ID# 3888017
5 x 13.5
Submitted by: Heather Bennett
Publish: 04/10/2023
163352 3888017

**PUBLISHER'S AFFIDAVIT OF
PUBLICATION STATE OF FLORIDA COUNTY
OF CHARLOTTE:**

Before the undersigned authority personally appeared Melinda Prescott, who on oath says that she is the Legal Advertising Representative of The Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

04/10/23

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

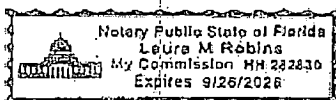
Melinda Prescott

(Signature of Affiant)

Sworn and subscribed before me this 10th day of
April, 2023

Laura M Robins

(Signature of Notary Public)



Personally known ☒ OR ☐ Produced Identification

Attachment 3

Resolution Number 2023-077

CHG
BCC

ROGER D. EATON, CHARLOTTE COUNTY CLERK
CIRCUIT COURT
PAGE: 13
INSTR #: 3269265 Doc Type: GOV
Recorded: 05/24/2023 at 11:59 AM
Rec. Fee: RECORDING \$112.00

RESOLUTION
NUMBER 2023 - 077

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, APPROVING A PETITION FOR A TRANSFER OF 311 DENSITY UNITS TO A RECEIVING ZONE LOCATED AT 26901 OR 27001 ZEMEL ROAD, IN THE PUNTA GORDA AREA, WITHIN THE BOUNDARY OF THE BURNT STORE AREA PLAN AREA; CONTAINING 338.02 ACRES MORE OR LESS; IN ACCORDANCE WITH PART III, LAND DEVELOPMENT AND GROWTH MANAGEMENT, CHAPTER 3-9, ZONING, ARTICLE V, ENVIRONMENTAL REQUIREMENTS AND OTHER REQUIREMENTS, SECTION 3-9-150, TRANSFER OF DENSITY UNITS (TDU), OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; COMMISSION DISTRICT II; PETITION TDU-23-02; APPLICANT; LINDNER MARK L TRUSTEE.

RECITALS

WHEREAS, Part III, Land Development and Growth Management, Chapter 3-9, Zoning, Article V, Environmental Requirements and Other Requirements, Section 3-9-150, Transfer of Density Units (TDU), of the Code of Laws and Ordinances of Charlotte County, Florida (hereinafter "TDU Code"), establishes processes and requirements for approval of petitions for transfers of density units in connection with petitions for rezonings, street vacations, plat vacations, and for amendments to the County's Comprehensive Plan, the approval of which would increase density on parcels of property; and

WHEREAS, on September 18, 2007, the Board of County Commissioners of Charlotte County, Florida ("Board") approved Petition Z-07-06-40-TDU, via Ordinance Number 2007-063, submitted by Mark Lindner, as Trustee of the Burnt Store East Land Trust, amending the Charlotte County Zoning Atlas from Agriculture Estates (AE) to

min

Planned Development (PD), on 338.02 acres more or less of property located at 26901 or 27001 Zemel Road, in the Punta Gorda area, within the boundary of the Burnt Store Area Plan area, Charlotte County, Florida, and more particularly described in Exhibit "A" which is attached hereto and provided herein ("Property"); and

WHEREAS, Lindner Mark L Trustee ("Applicant") has now submitted a petition for a transfer of density units via Petition TDU-23-02 ("TDU Petition") in connection with the above-stated rezoning, for approval by the Board, requesting a transfer of 311 units of density to the Property in accordance with the County's Comprehensive Plan and the provisions of the TDU Code; and

WHEREAS, the proposed transfer of 311 density units will allow for residential development of up to 344 homes on the Property; and

WHEREAS, the Certificates of Transferrable Density Credits for the density being transferred under Petition TDU-22-02 are attached hereto as Exhibit "B"; and

WHEREAS, the Applicant has submitted all of the information and documentation required for the approval of the TDU Petition pursuant to the TDU Code.

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

1. The TDU Petition submitted by applicant, Lindner Mark L Trustee ("Applicant"), requesting the transfer of 311 units of density to the property located at 26901 or 27001 Zemel Road, in the Punta Gorda area, within the boundary of the Burnt Store Area Plan area, Charlotte County, Florida, described in Exhibit "A", attached hereto and incorporated herein by reference, is hereby approved.

2. The effective date of this Resolution shall be the date this Resolution is recorded.

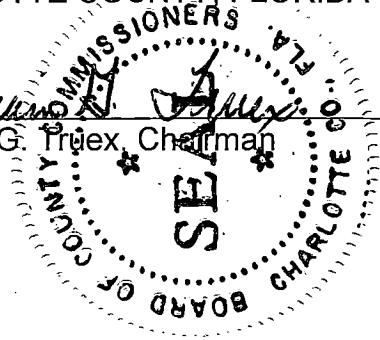
[SIGNATURE PAGE FOLLOWS]

PASSED AND DULY ADOPTED this 23rd day of May, 2023.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: _____

William G. Truex, Chairman



ATTEST:

Roger D. Eaton, Clerk of the Circuit Court
and Ex-Officio Clerk of the
Board of County Commissioners

By: _____

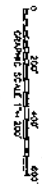
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

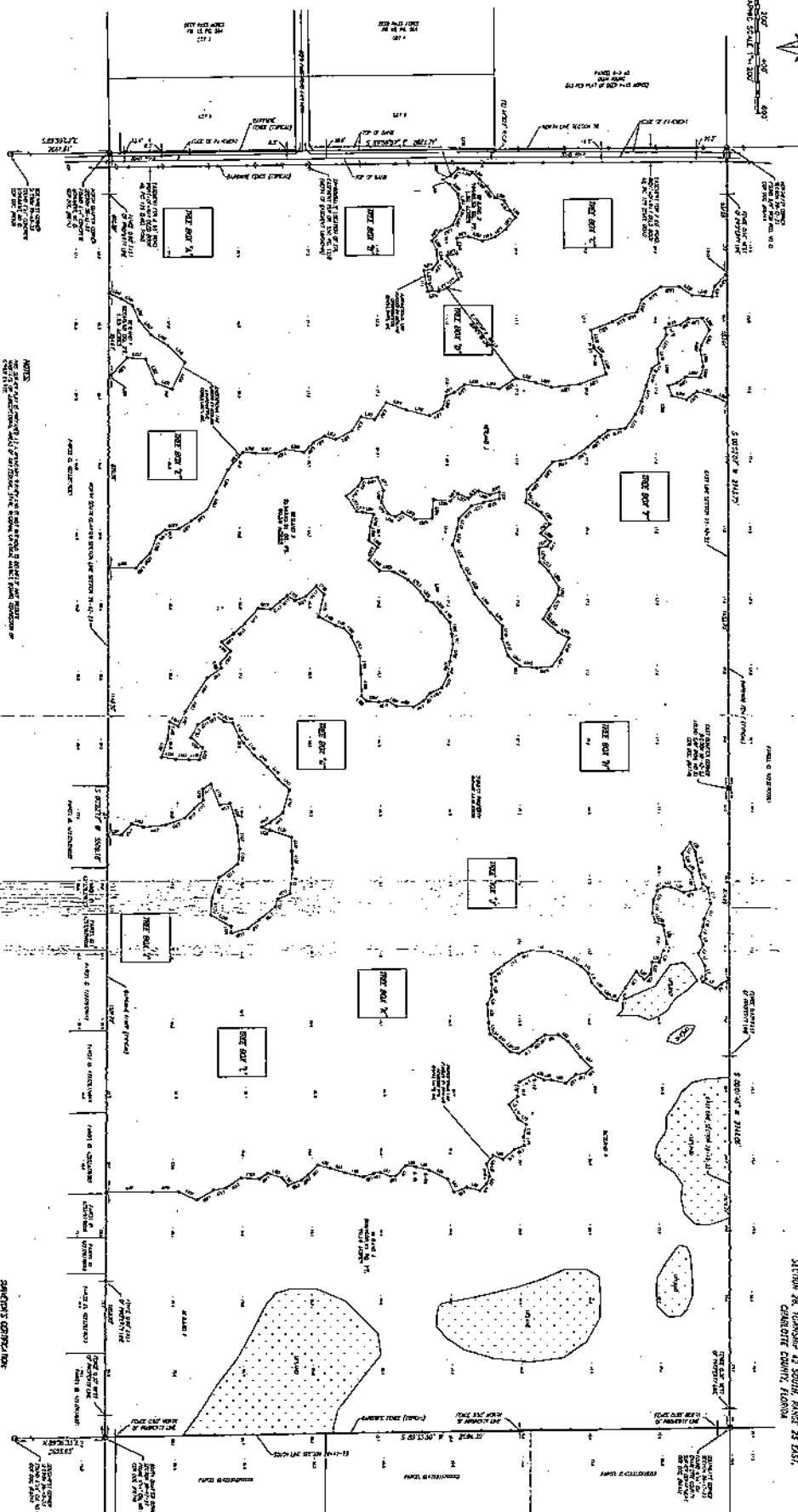
By: _____

Janette S. Knowlton, County Attorney

LR2023-0343



OF A PARCEL OF LAND LING IN
SECTION 28, TOWNSHIP 42 SOUTH, RANGE 23 EAST,
CHARLOTTE COUNTY, FLORIDA

[illegible]

NOTES.

1. The first of these is the *Journal of the Royal Society of Medicine*, which is published weekly, and is the most important of the medical journals in the United Kingdom. It is edited by Sir John Peel, and is published by the Royal Society of Medicine, which is a body of 1,200 members, including all the medical and dental professions in the United Kingdom. The *Journal* is published in 12 volumes, and contains a large amount of original research, and is highly respected by the medical profession.

2. The second of these is the *British Medical Journal*, which is published weekly, and is the most important of the medical journals in the United Kingdom. It is edited by Sir John Peel, and is published by the Royal Society of Medicine, which is a body of 1,200 members, including all the medical and dental professions in the United Kingdom. The *Journal* is published in 12 volumes, and contains a large amount of original research, and is highly respected by the medical profession.

3. The third of these is the *Lancet*, which is published weekly, and is the most important of the medical journals in the United Kingdom. It is edited by Sir John Peel, and is published by the Royal Society of Medicine, which is a body of 1,200 members, including all the medical and dental professions in the United Kingdom. The *Journal* is published in 12 volumes, and contains a large amount of original research, and is highly respected by the medical profession.

4. The fourth of these is the *Medical Times and Gazette*, which is published weekly, and is the most important of the medical journals in the United Kingdom. It is edited by Sir John Peel, and is published by the Royal Society of Medicine, which is a body of 1,200 members, including all the medical and dental professions in the United Kingdom. The *Journal* is published in 12 volumes, and contains a large amount of original research, and is highly respected by the medical profession.

5. The fifth of these is the *Medical Record*, which is published weekly, and is the most important of the medical journals in the United Kingdom. It is edited by Sir John Peel, and is published by the Royal Society of Medicine, which is a body of 1,200 members, including all the medical and dental professions in the United Kingdom. The *Journal* is published in 12 volumes, and contains a large amount of original research, and is highly respected by the medical profession.

6. The sixth of these is the *Medical News*, which is published weekly, and is the most important of the medical journals in the United Kingdom. It is edited by Sir John Peel, and is published by the Royal Society of Medicine, which is a body of 1,200 members, including all the medical and dental professions in the United Kingdom. The *Journal* is published in 12 volumes, and contains a large amount of original research, and is highly respected by the medical profession.

7. The seventh of these is the *Medical Record*, which is published weekly, and is the most important of the medical journals in the United Kingdom. It is edited by Sir John Peel, and is published by the Royal Society of Medicine, which is a body of 1,200 members, including all the medical and dental professions in the United Kingdom. The *Journal* is published in 12 volumes, and contains a large amount of original research, and is highly respected by the medical profession.

8. The eighth of these is the *Medical News*, which is published weekly, and is the most important of the medical journals in the United Kingdom. It is edited by Sir John Peel, and is published by the Royal Society of Medicine, which is a body of 1,200 members, including all the medical and dental professions in the United Kingdom. The *Journal* is published in 12 volumes, and contains a large amount of original research, and is highly respected by the medical profession.

9. The ninth of these is the *Medical Record*, which is published weekly, and is the most important of the medical journals in the United Kingdom. It is edited by Sir John Peel, and is published by the Royal Society of Medicine, which is a body of 1,200 members, including all the medical and dental professions in the United Kingdom. The *Journal* is published in 12 volumes, and contains a large amount of original research, and is highly respected by the medical profession.

10. The tenth of these is the *Medical News*, which is published weekly, and is the most important of the medical journals in the United Kingdom. It is edited by Sir John Peel, and is published by the Royal Society of Medicine, which is a body of 1,200 members, including all the medical and dental professions in the United Kingdom. The *Journal* is published in 12 volumes, and contains a large amount of original research, and is highly respected by the medical profession.

[illegible][illegible]

BANKS ENGINEERING 1000 N. W. 10th Ave., Suite 200 Fort Lauderdale, FL 33304 Phone: (305) 555-1234 Fax: (305) 555-1235 Telex: 123456789 Cable: 123456789 E-mail: info@banks-engineering.com Website: www.banks-engineering.com									
PROJECT: E. 1/2 OF SEC. 28, TWP. 42 S., RGE. 23 E. CLIENT: OTIE COUNTY, FLORIDA DATE: 1/1/2021 PROJECT: 1/1/2021 REVISION: 1/1/2021 SHEET: 1/1/2021 TOTAL SHEETS: 1/1/2021 TOTAL SHEETS: 1/1/2021									

EXHIBIT

SURVEY PLAT
OF A PARCEL OF LAND Lying IN
SECTION 28, TOWNSHIP 42 SOUTH, RANGE 23 EAST,
CHARLOTTE COUNTY, FLORIDA

This image consists of ten vertical panels, each displaying a black and white halftone pattern. The pattern is composed of numerous small, dark, irregular shapes (resembling noise or a dense collection of small characters) arranged in a grid-like fashion. The panels are stacked vertically, with the top panel being the widest and the bottom panel being the narrowest. The overall effect is a dense, textured vertical strip.[illegible]

1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359	2360	2361	2362	2363	2364	2365	2366	2367	2368	2369	2370	2371	2372	2373	2374	2375	2376	2377	2378	2379	2380	2381	2382	2383</
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FAX: (404) 525-1001 • Telex: 350100
Cable: 350100 • Banks Engineering
Atlanta, Georgia • U.S.A.

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Atlanta, Georgia 30341 • (404) 525-1000

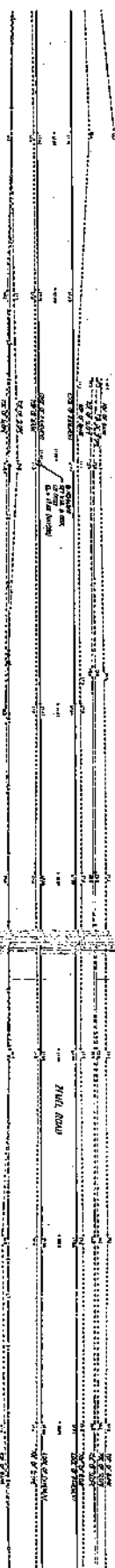
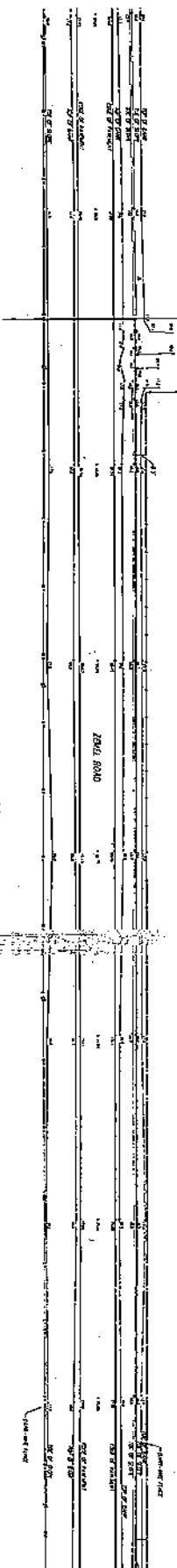
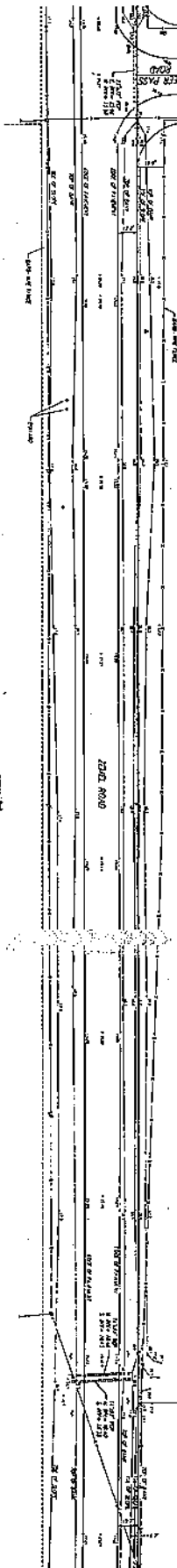
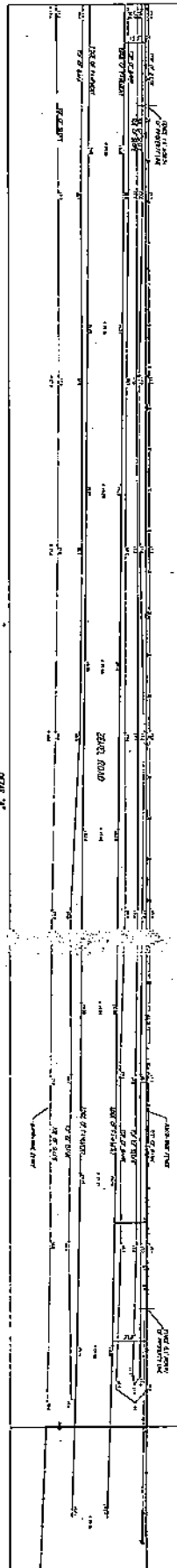
DATE	PROJECT	ISSUED	PIVOT	TURN	DELIVER	SCALE	SHEET
9/27/22	11184	1/10/24		75	CRD	14	26/6

E. 1/2 OF SEC. 42 S., RGE. 23 E.
CLARK COUNTY, FLORIDA

BOUNDARY SURVEY



OF A PARCEL OF LAND LYING IN
SECTION 28, TOWNSHIP 42 SOUTH, RANGE 23 EAST,
CHARLOTTE COUNTY, FLORIDA



DETAILED
RESEARCH

DATE: 5/1/77

DELIA A. YOUNG

DEZAL, A.
(1901-1902)

[illegible][illegible]

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COUNTY & TOPOGRAPHIC SURVEY

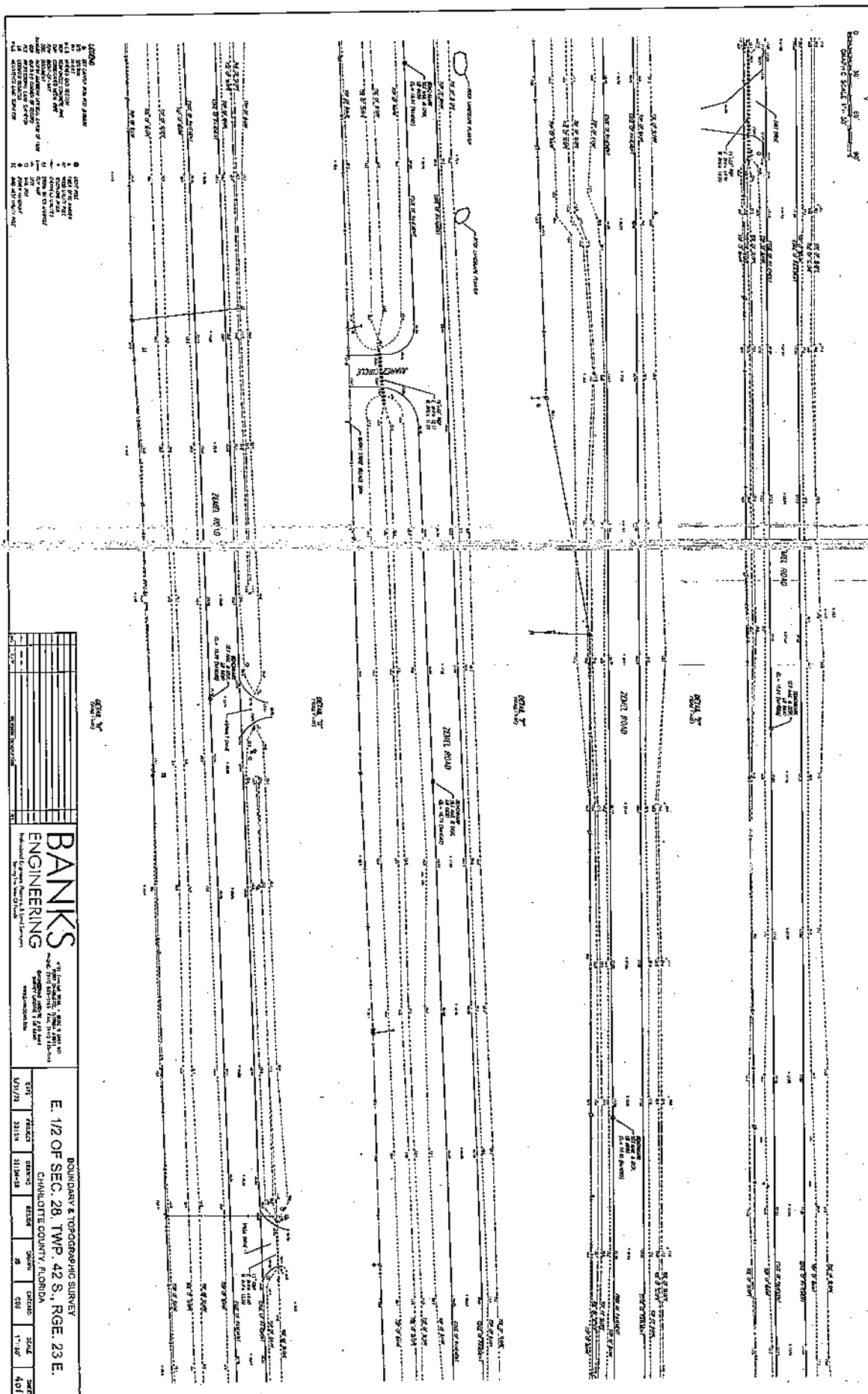
E. 1/2 OF SEC. 28, TWP. 42 S., RGE. 23 E.

DIALONIA COUNTY, FLORIDA

DATE	PROJECT	WORKING	SHEET NO.	TOTAL SHEETS	SCALE	BY
5/29/73	31194	3786-03	25	40	1"=50'	JOB



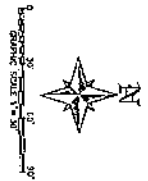
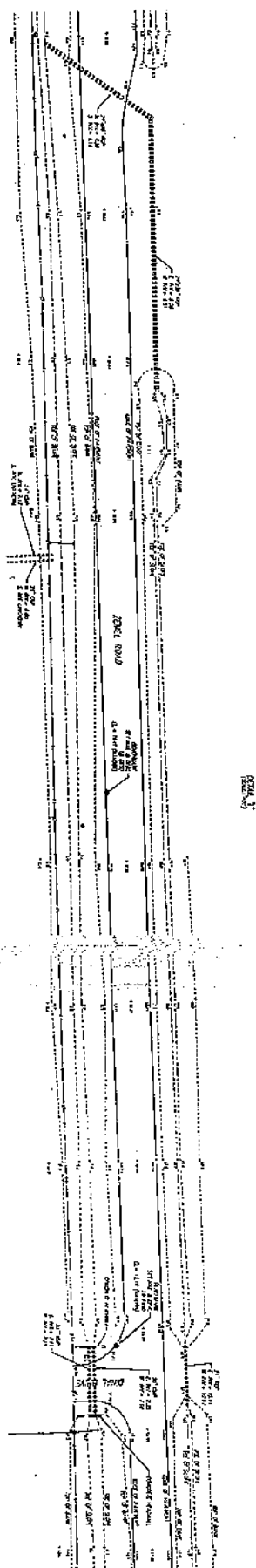
SURVEY PLAT
OF A PART OF LAND LING IN
SECTION 28, TOWNSHIP 42 SOUTH, RANGE 24 EAST,
CHARLOTTE COUNTY, FLORIDA



BANKS
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INCORPORATED
1111 N. W. 10th Ave., Suite 100
Fort Lauderdale, Florida 33304
Phone: (305) 555-1111
Fax: (305) 555-1112
www.bankseng.com

BOUNDARY & TOPOGRAPHIC SURVEY					
E. 1/2 OF SEC. 28, TWP. 42 S., RGE. 23 E.					
CHARLOTTE COUNTY, FLORIDA					
DATE	REASON	STATUS	DATE	STATUS	DATE
5/11/21	2021	311-PM-28	2021	2021	2021
2021	2021	2021	2021	2021	2021

OF A PARCEL OF LAND LYING IN
SECTION 28, TOWNSHIP 42 SOUTH, RANGE 23 EAST,
CHARLOTTE COUNTY, FLORIDA



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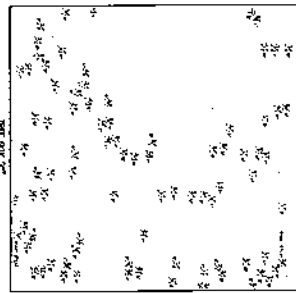
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Tel: 352/466-1100 • Fax: 352/466-1101
E-Mail: info@banks-engineering.com

"A" Rating - ISO 9001:2000
Member: ASCE, ASHRAE, IEEE, NAE
Professional Engineering Firm
Professional Surveying Firm
Professional Land Surveying Firm
Professional Engineering Firm

E. 1/2 OF SEC. 20, TWP. 42 S., RGE. 23 E.
COUNTY 20, IDOKAWA COUNTY, FLORIDA

DATE	PROPERTY	ACRES	OWNER	DEED #	TAXES	REMARKS
5/9/02	20154	1.00	J.D.	200	1,425	5.0/0

[illegible][illegible]

BOUNDARY & TOPOGRAPIHC SURVEY
E. 1/2 OF SEC. 28, TWP. 42 S., RGE. 23 E.
CLIMLLOTTE COUNTY, FLORIDA

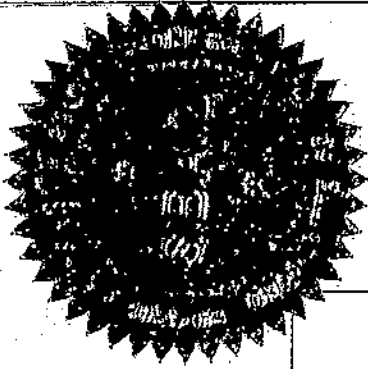
DATE	INSTRUMENT	STATION	BEARING	DISTANCE	MARK
3/29/72	21101	1118+28	12	0.00	6066

CERTIFICATE OF TRANSFERABLE

DENSITY CREDITS

CHARLOTTE COUNTY, FLORIDA

Certificate No. CSZ-010A.2B.1.1.1.1
TRANSFER OF DENSITY FROM
No. CSZ-010A.2B.1.1.1.1



This Certificate is the Property of
Zemel Land Partners, LLC

This Certificate was created on October 14, 2022

The Certificate Holder Acquired

361 Units of Density from RNJ Properties, LLC

CSZ-010 Certificate Information

Certificate Application No.	CSZ-05-07-07
Adopted Resolution No.	2006-004
Date of County Approval	January 10, 2006
No. of Units of Density Approved	1,351
No. of Units of Density Retained on Sending Zone	10
Form of Covenant	Restrictive Covenant
Sending Zone Criteria	Substandard Platted Lots
Location of Units	East County

Jie Shao

Jie Shao, AICP, MCP, Planner, Principal
Comprehensive Planning Division
Community Development Department

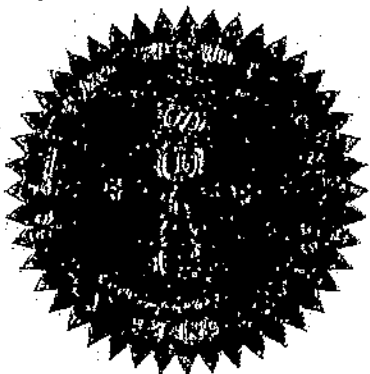


CERTIFICATE OF TRANSFERABLE DENSITY CREDITS

CHARLOTTE COUNTY, FLORIDA

Certificate No. CSZ-013.3.1.1.1
Transfer of Density from
Certificate Number CSZ-013.3.1.1

This Certificate is the Property of
Zemel Land Partners, LLC



This Certificate was created on October 14, 2022
The Certificate Holder Acquired
123 Units of Density from Triple I Limited Partnership, LLP

CSZ-013 Certificate Information

Certification Application No.
Adopted Resolution No.
Date of County Approval
No. of Units of Density Approved
No. of Units of Density retained on Sending Zone
Form of Covenant
Sending Zone Criteria

CSZ-06-01-02
2006-038
March 14, 2006
1,403
11
Restrictive Covenant
Substandard Platted Lots

Jie Shao

Jie Shao, AICP, MCP, Planner, Principal
Comprehensive Planning Division
Community Development Department



CERTIFICATE OF TRANSFERABLE DENSITY CREDITS

CHARLOTTE COUNTY, FLORIDA

Certificate No. CSZ-010A.2A.1.1.1.BB

TRANSFER OF DENSITY FROM

CERTIFICATE NO. CSZ-010A.2A.1.1.1

This Certificate is the Property of
Wilmington Land Company



This Certificate was created on November 22, 2021

The Certificate Holder Acquired 14 Units of Density from Andrew Dodd

Certificate Application No.

CSZ-05-07-07

Adopted Resolution No.

2006-004

Date of County Approval

January 10, 2006

Sending Zone Criteria

Restrictive Covenant

Location of Units

Substandard Platted Lots

file Shao

Jie Shao, AICP, MCP, Planner, Principal
Comprehensive Planning Division
Community Development Department

Attachment 4

PP-23-03-03



September 20, 2023

Zemel Land Partners, LLC
5800 Lakewood Ranch Blvd.
Sarasota, FL 34240

Via Email: mneal@mnealcommunities.com

Dear Applicant:

This letter is to confirm the decision of the Charlotte County Board of County Commissioners at their meeting held **September 12, 2023 at 2:00 P.M.**, regarding the following petition:

PP-23-03-03

Quasi-judicial

Commission District II

Zemel Land Partners, LLC, is requesting Preliminary Plat approval for a residential subdivision to be named, Residences at Burnt Store East, consisting of 344 single-family lots and 20 tracts. This site contains 338.02± acres and is located at 26901 Zemel Road, in the Punta Gorda area, within the boundary of the Burnt Store Area Plan area, and in Commission District II.

It was the decision of the Charlotte County Board of County Commissioners that Petition **PP-23-03-03** be approved with the following conditions.

Prior to final plat approval the following items shall be addressed:

1. The applicant must obtain a School Concurrency Availability Determination Letter (SCADL) from CCPS indicating that sufficient capacity exists, or has been accounted for through a binding and enforceable agreement, at elementary, middle, and high school levels prior to submitting the Final Plat application as outlined in the currently approved Inter-Local Agreement. Jeff Harvey – CCPS
2. Total gross acreage of the tract, and percentages thereof proposed to be devoted to the various permitted uses, estimated ground coverage by structures, streets, impervious surface coverage are required. James Kelly Davis – PW Engineering
3. Maximum number of lots allowed and maximum number of lots proposed, gross residential density. James Kelly Davis – PW Engineering
4. Maximum number of lots allowed and maximum number of lots proposed, gross residential density. James Kelly Davis – PW Engineering
5. An **Updated Listed Species Assessment** conducted by *Kimley-Horn* (January 2023) was included in the application package. The assessment indicates there are approximately 123.79-acres of wetlands onsite that extend offsite to state-owned conservation lands. The



site was searched for bald eagle, wood stork (Federally Threatened [FT]), Florida scrub-jay (FT), red-cockaded woodpecker (Federally Endangered [FE]), Florida bonneted bat (FE), eastern indigo snake (FT), and gopher tortoise (State Threatened). No listed species were observed on site.

The following comments / recommendations will need to be addressed as the project moves through the DRC review process and into the Construction / Tree Removal Application phase. These are not intended to be comprehensive and exhaustive:

Wetlands

Please conduct a Wetland Jurisdictional Determination (JD) with the Southwest Florida Water Management District (or obtain an ERP) and include the approved JD in future DRC applications.

Please label all Category I and Category II wetlands on the survey and exhibits contained in environmental assessment(s).

If wetlands are proposed to be impacted, please provide an acreage amount with a detailed avoidance, minimization, and mitigation discussion.

Listed Species

The wetlands onsite may provide potential nesting habitat for state listed wading birds including the little blue heron, reddish egret, roseate spoonbill, and tricolored heron; and possibly the Florida sandhill crane. Please include these species in future listed species surveys / assessments. Survey methodologies may be found at:

<https://myfwc.com/media/18634/threatened-wading-birds-guidelines.pdf> and

<https://myfwc.com/media/11565/final-florida-sandhill-crane-species-guidelines-2016.pdf> respectively.

The development site is located in the U.S. Fish and Wildlife Service (FWS) Consultation Area for the Florida bonneted bat (FBB) and may be in the Focal Area and the area proposed for Critical Habitat designation. Staff recommends the applicant conduct an acoustic survey for the FBB and coordinate with the FWS. Jim Kaltner –

Zoning/Environmental

6. Street names must be labeled prior to final plat approval. Samantha DiPiazza – SPD Addressing
7. Add street names. Kathleen Duffy – IT GIS

Preliminary Plat approval is valid for two years. If you wish to request an extension, you must make this request in written form a minimum of six months prior to the date of expiration. This extension request will be presented to the Board of County Commissioners,



who may approve or deny the request. There is a \$370 fee for this extension. Final Plat approval will not be granted until all conditions are met. If you have any questions regarding the review, please contact me.

The preliminary plat approval shall be voided if construction work is not substantially completed, as determined by the county engineer, within two (2) years after approval of preliminary plat, unless an extension is requested from and granted by the Board of County Commissioners. If construction activity and development ceases for a period of two (2) years, the approval is void and the applicant must file for a new approval and pay the current fee.

Any preliminary plat or portion thereof not granted final plat approval or not recorded within two (2) years from the effective date of the preliminary plat approval shall be reviewed at the end of the two (2) years to determine compliance with these regulations and such changes, amendments, or additions to these regulations as they may have been made since preliminary plat approval and before final plat approval.

If you require specific information regarding this matter, please contact me.

Sincerely,

Jenny Shao, Project Coordinator
Community Development Department
Zoning Division
18400 Murdock Circle
Port Charlotte, FL 33948
Phone: 941-764-4954

CC: Todd R. Rebol, P.E. and Heather Polito, Banks Engineering
Mark L. Lindner, Trustee
Dawn Anspach, CAO
Karen Benak, CAO
Kelly Danielson, CCU
Denise Elliott, CCU
Kathleen Duffy, IT GIS
Christine Broughman, MSBU
Faith Dangerfield, Property Appraiser's Office
Matthew Parkman, Property Appraiser's Office



Samantha DiPiazza, SPD Addressing
Jordan Silver, SPD
Jeannine Fullerton, Real Estate Services
Tara Prince, Real Estate Services
Patty Stefan, Real Estate Services
Stephen Kipa, Real Estate Services
Robert Fakhri, Transportation
Ravi Kamarajugadda, Transportation
Maryann Franks, Zoning
Jeff Harvey, CCPS
Tracey Roberts, CCPS

Attachment 5

Ordinance Number 2024-001

City
BOC

FILED WITH THE DEPARTMENT OF STATE February 27, 2024

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF
CIRCUIT COURT
PAGE: 49
INSTR #: 3374849 Doc Type: GOV
Recorded: 02/28/2024 at 02:15 PM
Rec. Fee: RECORDING \$418.00

ORDINANCE

NUMBER 2024-001

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO CHAPTER 190, FLORIDA STATUTES, AMENDING PART IV, MUNICIPAL SERVICE BENEFIT AND TAXING UNITS, CHAPTER 4-3.5 MUNICIPAL SERVICE DISTRICTS, BY CREATING NEW ARTICLE XIX: FIRELIGHT EAST COMMUNITY DEVELOPMENT DISTRICT (CDD); PROVIDING FOR NEW SECTION 4-3.5-240, AUTHORITY; PROVIDING FOR NEW SECTION 4-3.5-241, DISTRICT NAME; PROVIDING FOR NEW SECTION 4-3.5-242, DISTRICT EXTERNAL BOUNDARIES; PROVIDING FOR NEW SECTION 4-3.5-243, DISTRICT POWERS AND FUNCTIONS; PROVIDING FOR NEW SECTION 4-3.5-244, BOARD OF SUPERVISORS; PROVIDING FOR ADDITIONAL REQUIREMENTS; AND PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, Zemel Land Partners, LLC (the "Petitioner"), having obtained written consent to the establishment of the Firelight East Community Development District (the "District") by the owners of one-hundred percent (100%) of the real property to be included in the District, petitioned the Board of County Commissioners (the "Board") of Charlotte County, Florida (the "County"), to adopt an ordinance establishing the District pursuant to Chapter 190, Florida Statutes; and,

WHEREAS, the Petitioner is a limited liability company authorized to conduct business in the State of Florida, and whose address is 5800 Lakewood Ranch Boulevard, Sarasota, Florida 34240; and,

WHEREAS, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the petition at a duly noticed public hearing conducted by the Board on February 27, 2024; and,

min

35 WHEREAS, upon consideration of the record established at that hearing, the
36 Board determined that the statements within the Petition are true and correct, that the
37 establishment of the District is not inconsistent with any applicable element or portion of
38 the State comprehensive plan or the County's comprehensive plan, that the land within
39 the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to
40 be developable as a functionally interrelated community, that the District is the best
41 alternative available for delivering community development services and facilities to the
42 area that will be served by the District, that the community development services and
43 facilities of the District will not be incompatible with the capacity and uses of existing
44 local and regional community development services and facilities, and that the area that
45 will be served by the District is amenable to separate special-district governance; and,

46 WHEREAS, the establishment of the District shall not act to amend any land
47 development approvals governing the land area to be included within the District; and

48 WHEREAS, the establishment of the District will constitute a timely, efficient,
49 effective, responsive and economic way to deliver community development services in
50 the area described in the Petition; and

51 WHEREAS, the Board has determined that the initial members of the District's
52 Board of Supervisors set forth in Section 5 of this ordinance are residents of the State of
53 Florida and citizens of the United States of America.

54 NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners
55 of Charlotte County, Florida:

56 **Section 1.** Charlotte County Code Chapter 4-3.5, Article XIX titled
57 "FIRELIGHT EAST COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-240 is hereby

created by adding the underlined language to provide as follows:

Sec. 4-3.5-240. Authority.

This ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980 codified in Chapter 190, Florida Statutes. Nothing contained herein shall constitute an amendment to any land development approvals for the land area included within the District.

Section 2. Charlotte County Code Chapter 4-3.5, Article XIX titled "FIRELIGHT EAST COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-241 is hereby created by adding the underlined language to provide as follows:

Sec. 4-3.5.-231. – District Name.

There is hereby created a community development district situated entirely within a portion of the unincorporated area of Charlotte County, Florida, which shall be known as the "Firelight East Community Development District," and which shall be referred to in this ordinance as the "District".

Section 3. Charlotte County Code Chapter 4-3.5, Article XIX titled "FIRELIGHT EAST COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-242 is hereby created by adding the underlined language to provide as follows:

Sec. 4-3.5-242. – District External Boundaries.

The external boundaries of the District are described in **Appendix A** attached hereto, said boundaries encompassing 338.02 acres, more or less.

Section 4. Charlotte County Code Chapter 4-3.5, Article XIX titled "FIRELIGHT EAST COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-243 is hereby created by adding the underlined language to provide as follows:

Sec. 4-3.5-243. District Powers and Functions.

The powers and functions of the District are described in Chapter 190, Florida Statutes. Consent is hereby given to the District's Board of Supervisors to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses, and for security, all as authorized and described by Sections 190.012(2)(a) and (2)(d), Florida Statutes.

Section 5. Charlotte County Code Chapter 4-3.5, Article XIX titled "FIRELIGHT EAST DEVELOPMENT DISTRICT," § 4-3.5-244 is hereby created by adding the underlined language to provide as follows:

Sec. 4-3.5-244. Board of Supervisors.

The five persons designated to serve as initial members of the District's Board of Supervisors are as follows:

Name: John Lienaweaver
Address: 5800 Lakewood Ranch Boulevard
Sarasota, Florida 34240

Name: Priscilla Heim
Address: 5800 Lakewood Ranch Boulevard
Sarasota, Florida 34240

Name: Kris Watts
Address: 5800 Lakewood Ranch Boulevard
Sarasota, Florida 34240

Name: Jennings DePriest
Address: 5800 Lakewood Ranch Boulevard
Sarasota, Florida 34240

Name: Sandy Foster
Address: 5800 Lakewood Ranch Boulevard
Sarasota, Florida 34240

Section 6. Bond Validation. All bonds issued by the District pursuant to the powers granted by this ordinance shall be validated pursuant to Chapter 75, Florida Statutes.

Section 7. Bond Default. No bond debt or other obligation of the District, nor any default thereon, shall constitute a debt or obligation of Charlotte County, except upon the express approval and agreement of the Board.

Section 8. County Rates, Fees and Charges. Notwithstanding any power granted to the District pursuant to this Ordinance, neither the District nor any real or personal property or revenue in the District shall by reason of the District's creation and existence be exempted from any requirement for the payment of any and all rates, fees, charges, permitting fees, impact fees, connection charges or fees, or similar County rates, fees or charges, and special taxing district assessments existing at the time of adoption of this Ordinance or by subsequent action of the Board.

Section 9. Eminent Domain Power Limited. Notwithstanding any power granted to the District pursuant to this Ordinance, the District may exercise the power of eminent domain outside the District's existing boundaries only with the prior, specific and express approval of the Board.

Section 10. Notwithstanding any provision to the contrary contained in the Petition, no Proposed Facilities and Services may be funded, transferred to, owned or maintained by the County without prior written approval from the Board.

Section 11. Codification. It is the intention of the Board, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Charlotte County, Florida ("Code"), and the sections of this Ordinance may be renumbered to accomplish such intention. In the event this Ordinance conflicts with any provisions of the Code, the provisions of this Ordinance shall control to the extent of any such conflict.

Section 12. Severability. If any subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remainder of this Ordinance.

Section 13. Effective Date. This ordinance shall take effect upon adoption by the Board.

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PASSED AND DULY ADOPTED this 27th day of February, 2024.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: 
Christopher G. Constance, Vice Chair

ATTEST:
Roger D. Eaton, Clerk of the Circuit
Court and Ex-Officio Clerk of the
Board of County Commissioners

By: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: 
Janette S. Knowlton, County Attorney
LR23-1174 

Appendix A [Petition]

PETITION TO ESTABLISH THE FIRELIGHT EAST COMMUNITY DEVELOPMENT DISTRICT

Submitted By:

Jonathan T. Johnson
Florida Bar No. 986460
Jonahan.Johnson@Kutakrock.com
Kyle M. Magee
Florida Bar No. 120117
Kyle.Magee@Kutakrock.com
Kutak Rock LLP
107 West College Avenue
Tallahassee, Florida 32301
(850) 692-7300 (telephone)
(850) 692-7319 (facsimile)
Attorneys for Petitioner

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
CHARLOTTE COUNTY, FLORIDA**

**PETITION TO ESTABLISH FIRELIGHT EAST
COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, Zemel Land Partners, LLC (hereafter "Petitioner"), hereby petitions the Board of County Commissioners of Charlotte County, Florida, pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, *Florida Statutes*, to establish a Community Development District with respect to the land described herein. In support of this petition, Petitioner states:

1. Location and Size. The proposed District is located entirely within the Charlotte County, Florida. **Exhibit 1** depicts the general location of the proposed District. The proposed District covers approximately 338.02 acres of land, generally located east of Burnt Store Road and south of Zemel Road. The metes and bounds description of the external boundaries of the proposed District is set forth in **Exhibit 2**.

2. Excluded Parcels. There is no land within the external boundaries of the proposed District, which is to be excluded from the District.

3. Landowner Consent. Petitioner has obtained written consent to establish the proposed District from the owners of one hundred percent (100%) of the real property located within the proposed District in accordance with Section 190.005, *Florida Statutes*. Documentation of ownership and consent to the establishment of a community development district is contained in **Exhibit 3**.

4. Initial Board Members. The five persons designated to serve as initial members of the Board of Supervisors of the proposed District are as follows:

Name: John Leinawever
Address: 5800 Lakewood Ranch Blvd.,

Sarasota, FL 34240

Name: Priscilla Heim
Address: 5800 Lakewood Ranch Blvd.,
Sarasota, FL 34240

Name: Kris Watts
Address: 5800 Lakewood Ranch Blvd.,
Sarasota, FL 34240

Name: Jennings DePriest
Address: 5800 Lakewood Ranch Blvd.,
Sarasota, FL 34240

Name: Sandy Foster
Address: 5800 Lakewood Ranch Blvd.
Sarasota, FL 34240

All of the above-listed persons are residents of the State of Florida and citizens of the United States of America.

5. Name. The proposed name of the District is the Firelight East Community Development District.

6. Existing and Future Land Uses. The existing zoning for lands within the proposed District and the future general distribution, location, and extent of the land uses proposed for the District by future land use plan element of the applicable Future Land Use Plan are identified on **Exhibit 4**. The proposed land uses for lands contained within the proposed District are consistent with the County's approved Future Land Use Plan.

7. Major Water and Wastewater Facilities and Outfalls. There are no existing major trunk water mains and wastewater interceptors within the currently undeveloped lands to be included within the proposed District. **Exhibit 5** shows the existing, major trunk water mains, sewer connections, and reclaimed water mains serving the lands around the proposed District.

8. District Facilities and Services. **Exhibit 6** describes the type of facilities Petitioner presently expects the proposed District to finance, fund, construct, acquire and/or install, as well as the anticipated entity responsible for ownership and maintenance. The estimated costs of constructing the infrastructure serving land within the proposed District are identified in **Exhibit 7**. At present, these improvements are estimated to be made, constructed and installed in two phases over the time period from 2024 through 2029. Actual construction timetables and expenditures will likely vary, due in part to the effects of future changes in the economic conditions upon costs such as labor, services, materials, interest rates and market conditions.

9. Statement of Estimated Regulatory Costs. **Exhibit 8** is the statement of estimated regulatory costs (“SERC”) prepared in accordance with the requirements of Section 120.541, *Florida Statutes*. The SERC is based upon presently available data. The data and methodology used in preparing the SERC accompany it.

10. Authorized Agent. The Petitioner is authorized to do business in the State of Florida. The authorized agent for the Petitioner is Jonathan T. Johnson. **See Exhibit 9**. Copies of all correspondence and official notices should also be sent to:

Jonathan T. Johnson
Jonathan.johnson@kutakrock.com
Kutak Rock LLP
107 West Collage Avenue
Tallahassee, Florida 32301

11. This petition to establish the Firelight East Community Development District should be granted for the following reasons:

a. Establishment of the District and all land uses and services planned within the proposed District are not inconsistent with applicable elements or portions of the effective State Comprehensive Plan or the Charlotte County Comprehensive Plan.

b. The area of land within the proposed District is part of a planned community. It is of a sufficient size and is sufficiently compact and contiguous to be developed as one functional and interrelated community.

c. The establishment of the District will prevent the general body of taxpayers in Charlotte County from bearing the burden for installation of the infrastructure and the maintenance of the above-described facilities within the development encompassed by the District. The District is the best alternative for delivering community development services and facilities to the proposed community without imposing an additional burden on the general population of the local general-purpose government. Establishment of the District in conjunction with a comprehensively planned community, as proposed, allows for a more efficient use of resources.

d. The community development services and facilities of the District will not be incompatible with the capacity and use of existing local and regional community development services and facilities. In addition, the establishment of the District will provide a perpetual entity capable of making reasonable provisions for the operation and maintenance of the District services and facilities.

e. The area to be served by the proposed District is amenable to separate special-district government.

WHEREFORE, Petitioner respectfully requests the Board of County Commissioners of Charlotte County, Florida to:

- a. schedule a public hearing in accordance with the requirements of Section 190.005(2)(b), *Florida Statutes*;
- b. grant the petition and adopt an ordinance establishing the District pursuant to Chapter 190, *Florida Statutes*;
- c. consent to the District's exercise of certain additional powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses, and for security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, each as authorized and described by Sections 190.012(2)(a) and (d), *Florida Statutes*, and
- d. grant such other relief as appropriate.

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RESPECTFULLY SUBMITTED, this 13th day of December, 2023.

KUTAK ROCK LLP

A handwritten signature in blue ink, appearing to read 'Jonathan T. Johnson', written over a horizontal line.

Jonathan T. Johnson
Jonathan.johnson@kutakrock.com
Florida Bar No. 986460
Kyle M. Magee
Kyle.magee@kutakrock.com
Florida Bar No. 120117
107 West College Avenue
Tallahassee, Florida 32301
(850) 692-7300 (telephone)
(850) 692-7319 (facsimile)
Attorney for Petitioner

EXHIBIT 1

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

LOCATION MAP
FIRELIGHT EAST CDD
Charlotte County, Florida
August 2023

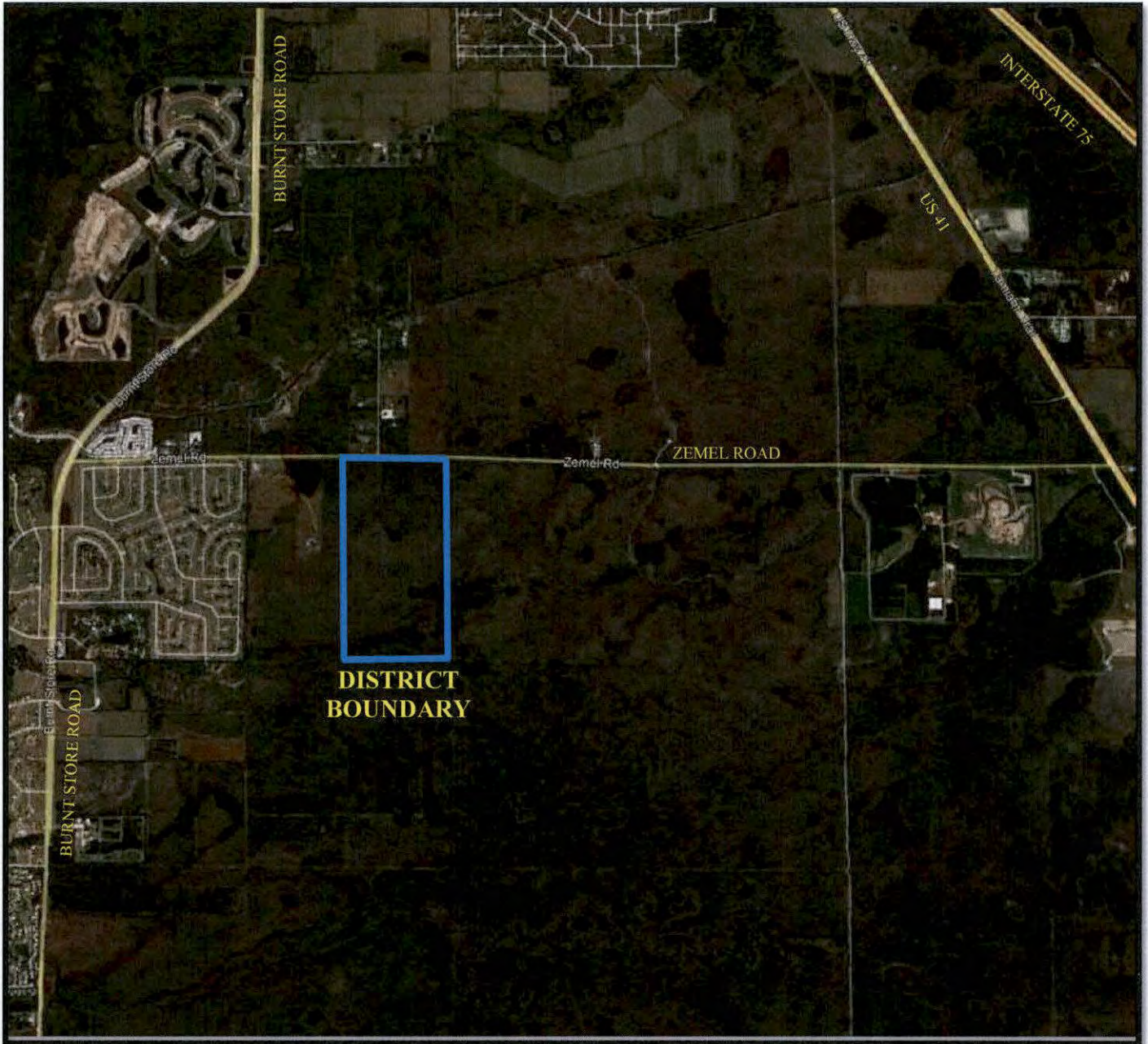


EXHIBIT 2



Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTION 28, T-42-S, R-23-E,
CHARLOTTE COUNTY, FLORIDA.

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTION 28, TOWNSHIP 42 SOUTH, RANGE 23 EAST, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH EAST CORNER OF SAID SECTION 28 AS DEPICTED IN CERTIFIED CORNER RECORD DOCUMENT 66744; THENCE S.00°02'07"W. ALONG THE EAST LINE OF SAID SECTION 28 FOR 2743.70 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 28 AS DEPICTED IN CERTIFIED CORNER RECORD DOCUMENT 66746; THENCE S.00°01'46"W. ALONG SAID EAST LINE FOR 2744.06 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 28 AS DEPICTED IN CERTIFIED CORNER RECORD DOCUMENT 66932; THENCE S.89°35'50"W. ALONG THE SOUTH LINE OF SAID SECTION 28 FOR 2694.39 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 28 AS DEPICTED IN CERTIFIED CORNER RECORD DOCUMENT 66748; THENCE N.00°22'17"E. ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 28 FOR 5509.18 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 28 AS DEPICTED IN CERTIFIED CORNER RECORD DOCUMENT 66743; THENCE S.89°56'57"E. ALONG THE NORTH LINE OF SAID SECTION 28 FOR 2661.71 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON "THE STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT - EPOCH 2010) AND WERE DERIVED FROM THE FLORIDA PERMANENT REFERENCE NETWORK, SITE CODE "PNTA"; WHEREIN THE NORTH LINE OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 23 EAST BEARS S.89°56'57"E.

CONTAINS 338.02 ACRES, MORE OR LESS.

BANKS ENGINEERING
FLORIDA LICENSED BUSINESS NO. LB6690

October 11, 2023

DIGITALLY SIGNED BY:
C. DREW BRANCH

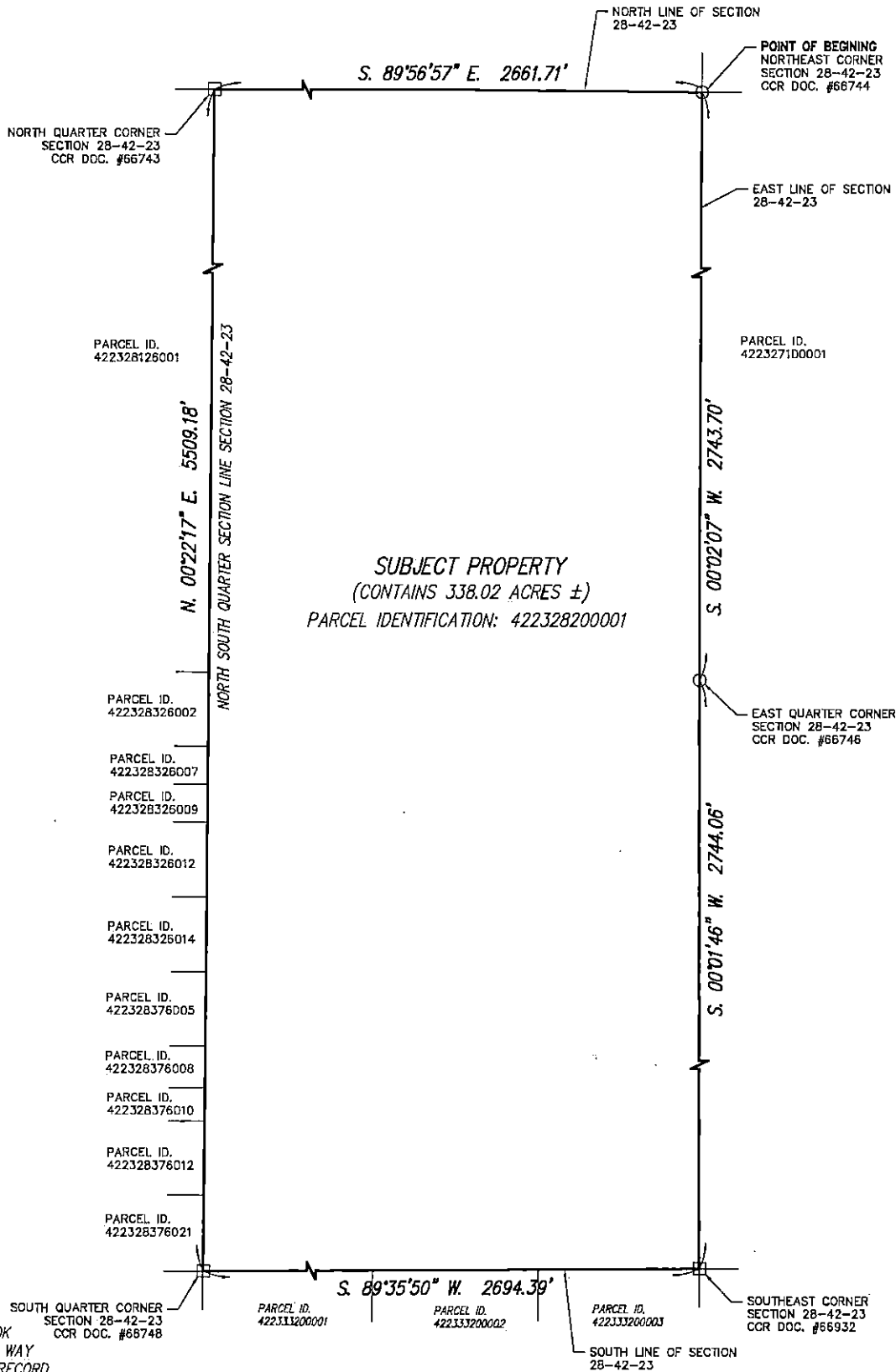


Date:
2023.10.11
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C. DREW BRANCH, P.S.M.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 5542

SHEET 1 OF 2

SERVING THE STATE OF FLORIDA



LEGEND
PGS. PAGES
P.B. PLAT BOOK
R/W RIGHT OF WAY
O.R. OFFICIAL RECORD
S.R. STATE ROAD
SQ. FT. SQUARE FEET
C1 LINE 1 OF CURVE TABLE
CCR CERTIFIED CORNER RECORD
DOC. DOCUMENT

SOUTH QUARTER CORNER
SECTION 28-42-23
CCR DOC. #66748

PARCEL ID.
422333200001

PARCEL ID.
422333200002

PARCEL ID.
422333200003

SOUTHEAST CORNER
SECTION 28-42-23
CCR DOC. #66932

THIS IS NOT A BOUNDARY SURVEY

BANKS
ENGINEERING

Professional Engineers, Planners, & Land Surveyors
Serving The State Of Florida

4101 TANKAM TOWN - BLDG & LIFT 501
PORT CHARLOTTE, FLORIDA 33622
PHONE: (941) 625-1105 FAX: (941) 625-1142
ENGINEERING LICENSE # 29 8403
SURVEY LICENSE # 18 6680
WWW.BANKSENG.COM

SKETCH TO ACCOMPANY DESCRIPTION
RESIDENTS AT BURNT STORE EAST
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (S-T-R)
10/11/23	3215N	3215N	SW	CDB	1"=600'	20F2	28-42-23

EXHIBIT 3

**CONSENT AND JOINDER TO ESTABLISHMENT
OF A COMMUNITY DEVELOPMENT DISTRICT**

The undersigned is the owner of certain lands more fully described in **Exhibit A** attached hereto and made a part hereof ("Property").

The undersigned understands and acknowledges that Zemel Land Partners, LLC ("Petitioner") intends to submit an application to establish a community development district in accordance with the provisions of Chapter 190 of the Florida Statutes.

As the owner of lands which are intended to constitute a portion of the community development district, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.005, *Florida Statutes*, the Petitioner is required to include the written consent to the establishment of the community development district of one hundred percent (100%) of the owners of the lands to be included within the community development district.

The undersigned hereby consents to the establishment of the community development district which will include the Property within the lands to be a part of the community development district and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the application process for the establishment of the community development district.

The undersigned acknowledges that the consent will remain in full force and effect until the community development district is established or a written revocation is issued, which ever shall first occur. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by Petitioner, a consent to establishment of the community development district in substantially this form.

The undersigned hereby represents and warrants that it has taken all actions and obtained all consents necessary to duly authorize the execution of this consent and joinder by the person executing this instrument.

[signatures on following page]

Executed this 8th day of NOVEMBER, 2023.

WITNESSES:

ZEMEL LAND PARTNERS, LLC
a Florida limited liability company

Name: _____

Name: _____

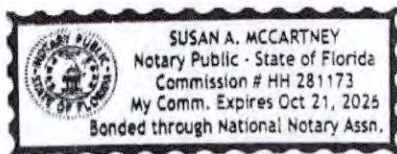
By: _____

Its: _____

STATE OF FLORIDA
COUNTY OF Sarasota

I hereby certify that on this day, before me, by means of ☒ physical presence or ☐ online notarization, an officer duly authorized to take acknowledgments, personally appeared MICHAEL NEAL as MANAGER of Zemel Land Partners, LLC, who executed the foregoing instrument, acknowledged before me that s/he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal this 8 day of NOVEMBER, 2023.



Notary Public

Personally known: ☒

Produced Identification: _____

Type of Identification: _____

Exhibit A: Property Description



Professional Engineers, Planners & Land Surveyors

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LYING IN SECTION 28, T-42-S, R-23-E,
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CONTAINS 338.02 ACRES, MORE OR LESS.

BANKS ENGINEERING
FLORIDA LICENSED BUSINESS NO. LB6690

October 11, 2023

DIGITALLY SIGNED BY:
C. DREW BRANCH

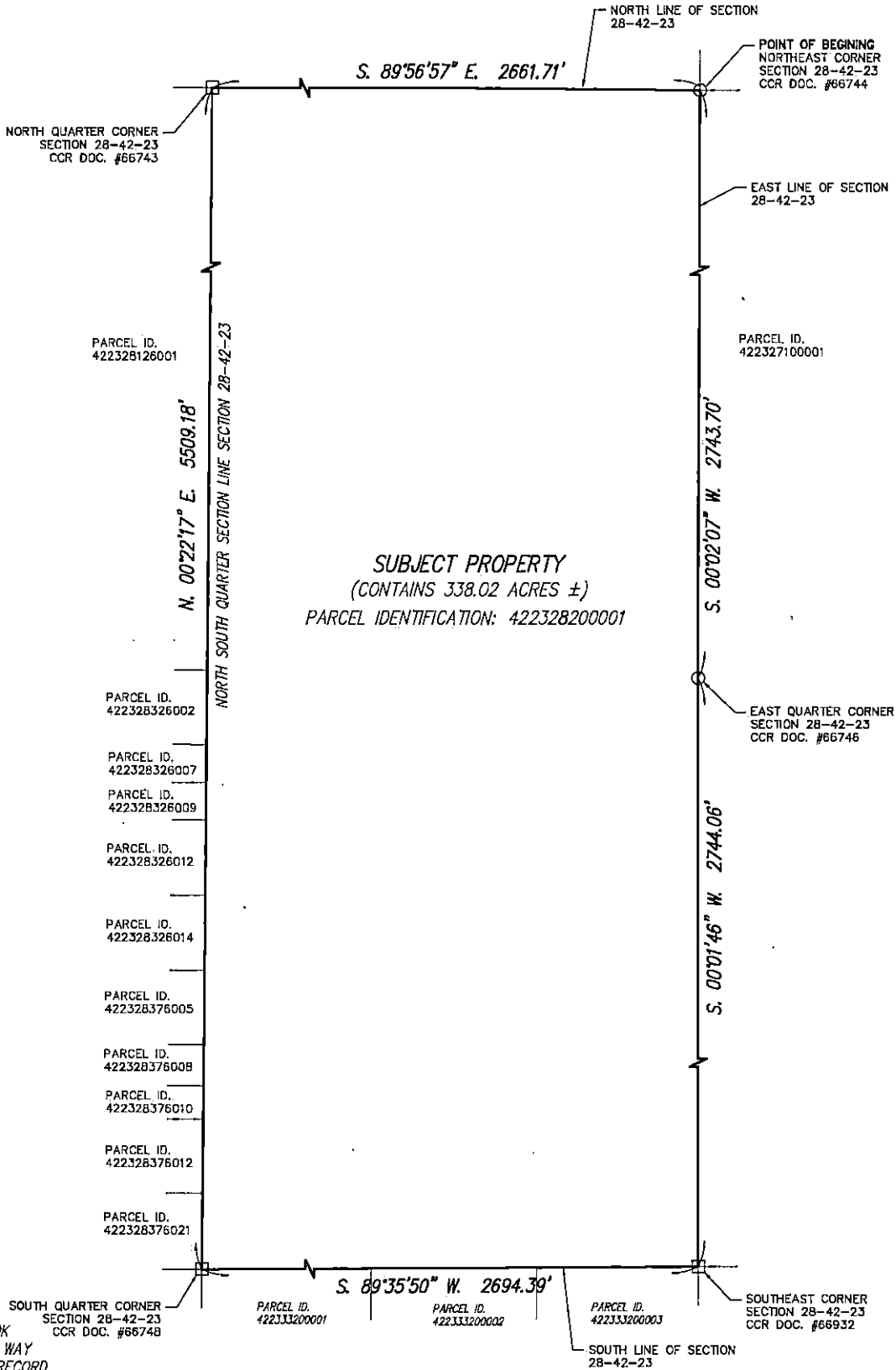


Date:
2023.10.11
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-04'00'

C. DREW BRANCH, P.S.M.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 5542

SHEET 1 OF 2

SERVING THE STATE OF FLORIDA



LEGEND
PGS.
P.B.
R/W
O.R.
S.R.
SQ. FT.
C1
CCR
DOC.

PAGES
PLAT BOOK
RIGHT OF WAY
OFFICIAL RECORD
STATE ROAD
SQUARE FEET
LINE 1 OF CURVE TABLE
CERTIFIED CORNER RECORD
DOCUMENT

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ENGINEERING

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PORT CHARLOTTE, FLORIDA 33653
PHONE: (941) 625-1105 FAX: (941) 625-1140
ENGINEERING LICENSE # 128 0400
SURVEY LICENSE # 128 0400
WWW.BANKSENG.COM

THIS IS NOT A BOUNDARY SURVEY
SKETCH TO ACCOMPANY DESCRIPTION
RESIDENTS AT BURNT STORE EAST
CHARLOTTE COUNTY, FLORIDA

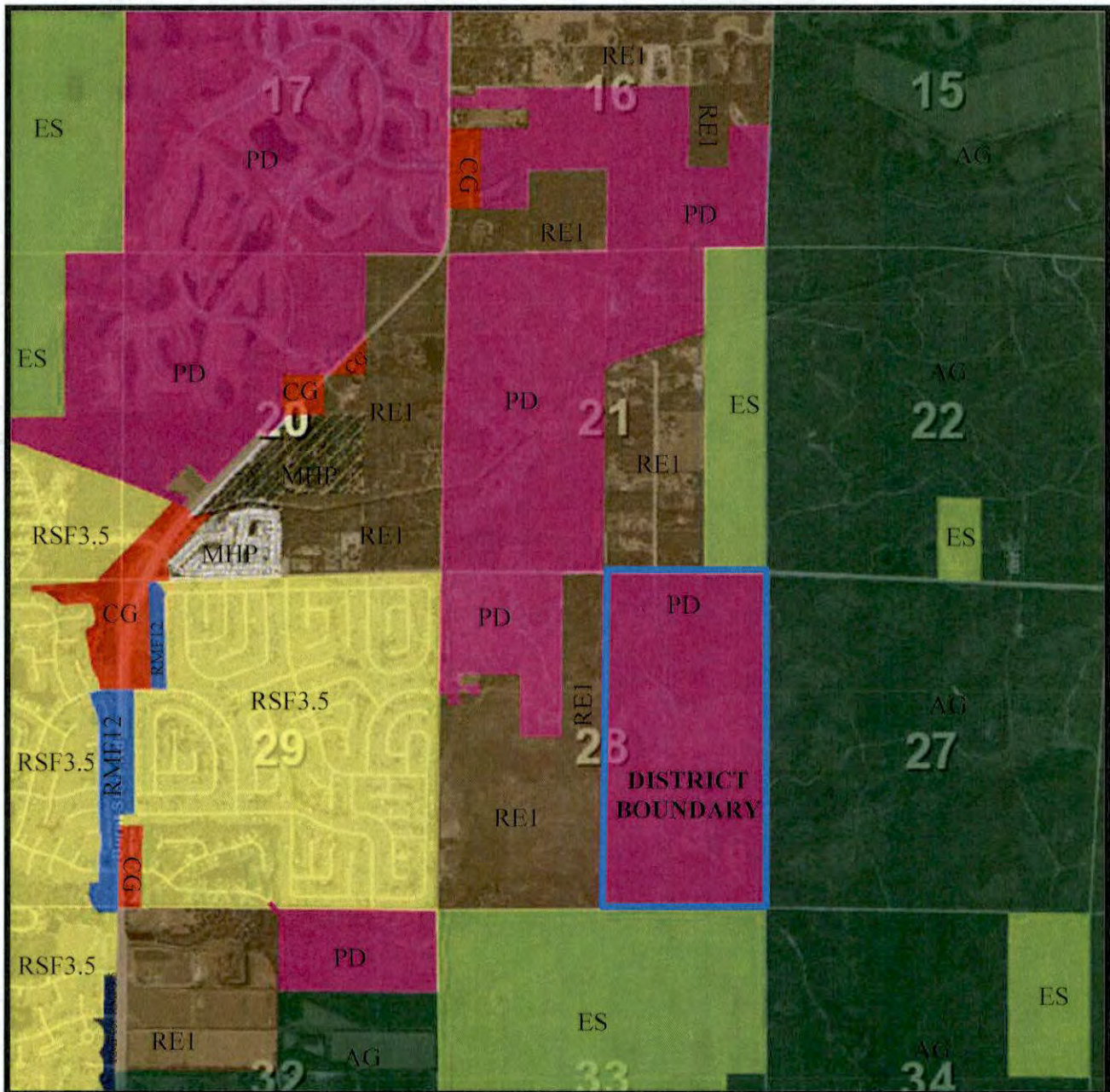
DATE	PROJECT	DRAWING	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (S-T-R)
10/11/23	3215N	3215N	SW	CDB	1"=500'	20F2	28-42-23

EXHIBIT 4

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

ZONING MAP FIRELIGHT EAST CDD Charlotte County, Florida August 2023



Legend: AG=Agricultural, ES=Environment Sensitive, PD=Planned Development, CG=Commercial General, RE1=Residential Estates-1 unit/acre, MHP= Manufactured Home Park, RSF3.5= Residential-Single Family 3.5 units/ acre, RMF12=Multifamily-12 units/acre,

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

FUTURE LAND USE MAP FIRELIGHT EAST CDD Charlotte County, Florida August 2023



Legend: BSLD= Burnt Store Limited Development, COM= Commercial, PRES= Preservation, RC= Resource Conservation

EXHIBIT 5

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

EXISTING UTILITIES MAP FIRELIGHT EAST CDD Charlotte County, Florida October 2023

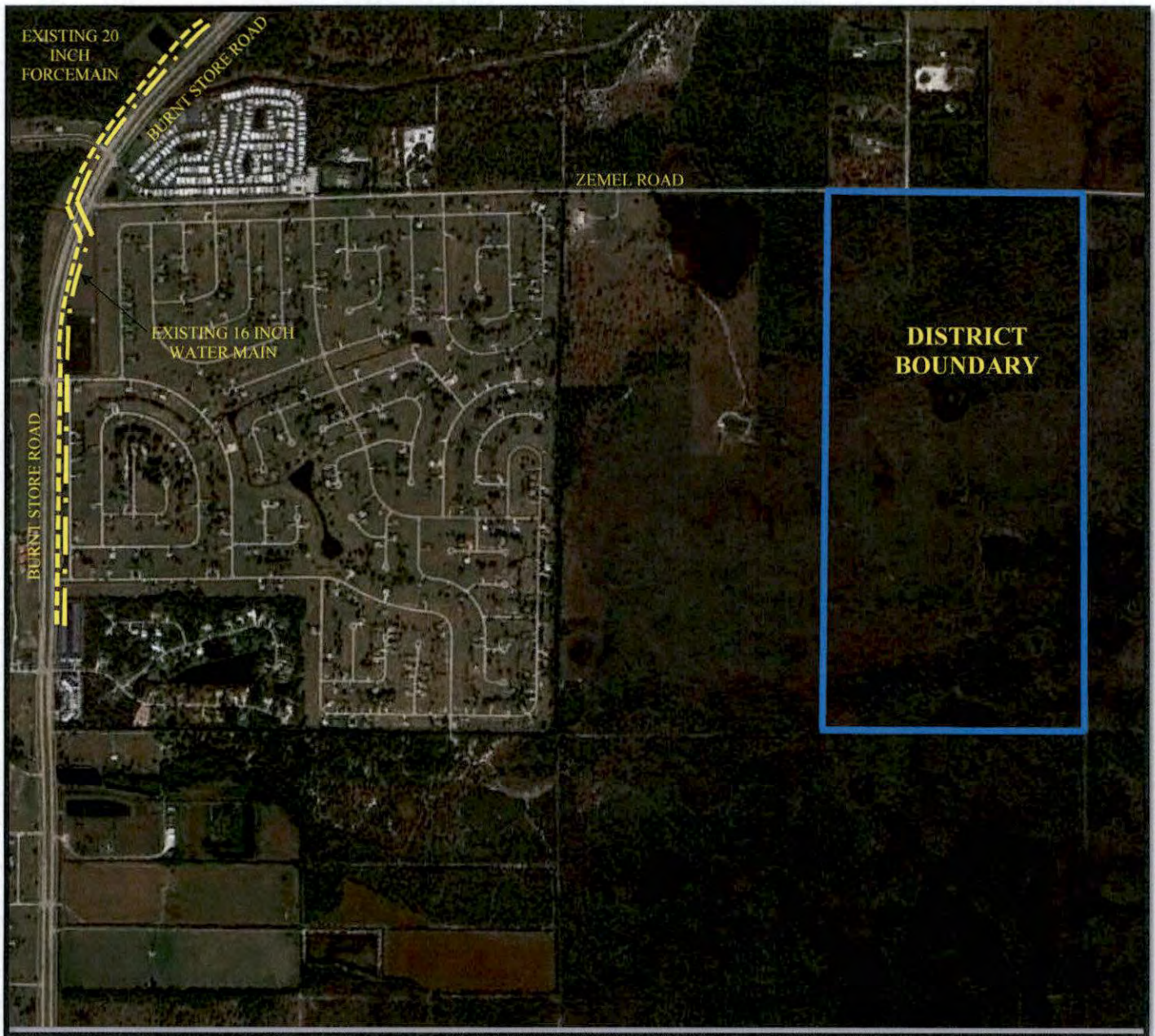


EXHIBIT 6

**FIRELIGHT EAST
COMMUNITY DEVELOPMENT DISTRICT
Proposed Facilities and Services**

FACILITY	FUNDED BY	OWNED BY	MAINTAINED BY
Stormwater Management System	CDD	CDD	CDD
Onsite Wetland Conservation/Migration	CDD	CDD	CDD
Public Roadways (Onsite)	CDD	CDD	CDD
Public Roadways (Offsite)	CDD	County	County
Water, Wastewater & Reclaim Utilities (Onsite & Offsite)	CDD	County	County
Hardscape, Landscape & Irrigation	CDD	CDD	CDD
Streetlights/Undergrounding of Electrical Lines	CDD	CDD	CDD
Recreational Amenities (Active & Passive)	CDD	CDD	CDD
Professional Services	CDD	N/A	N/A
Contingency	CDD	N/A	N/A

EXHIBIT 7

FIRELIGHT EAST
COMMUNITY DEVELOPMENT DISTRICT
Estimated Costs of Construction

CATEGORY	COST
Stormwater Management System	\$13,000,000
Onsite Wetland Conservation/Migration	\$1,750,000
Public Roadways (Onsite)	\$6,250,000
Public Roadways (Offsite)	\$1,300,000
Water, Wastewater & Reclaim Utilities (Onsite & Offsite)	\$13,600,00
Hardscape, Landscape & Irrigation	\$4,000,000
Streetlights/Undergrounding of Electrical Lines	\$2,000,000
Recreational Amenities (Active & Passive)	\$3,500,000
Professional Services	\$1,500,000
Contingency	\$6,810,000
Total	\$53,710,000

EXHIBIT 8

FIRELIGHT EAST COMMUNITY DEVELOPMENT DISTRICT

Statement of Estimated Regulatory Costs

November 9, 2023



Provided by

Wrathell, Hunt and Associates, LLC

2300 Glades Road, Suite 410W

Boca Raton, FL 33431

Phone: 561-571-0010

Fax: 561-571-0013

Website: www.whhassociates.com

STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs ("SERC") supports the petition to establish the Firelight East Community Development District ("District") in accordance with the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes (the "Act"). The proposed District will comprise approximately 338.02 +/- acres of land located within Charlotte County, Florida (the "County") and is projected to contain approximately 529 residential dwelling units, which will make up the Firelight East development ("Project"). The limitations on the scope of this SERC are explicitly set forth in Section 190.002(2)(d), Florida Statutes ("F.S.") (governing the District establishment) as follows:

"That the process of establishing such a district pursuant to uniform general law be fair and based only on factors material to managing and financing the service delivery function of the district, so that any matter concerning permitting or planning of the development is not material or relevant (emphasis added)."

1.2 Overview of the Firelight East Community Development District

The District is designed to provide public infrastructure, services, and facilities, along with operation and maintenance of the same, to a master planned residential development currently anticipated to contain a total of approximately 529 residential dwelling units. Tables 1 and 2 under Section 5.0 detail the improvements and ownership/maintenance responsibilities the proposed District is anticipated to construct, operate and maintain.

A community development district ("CDD") is an independent unit of special purpose local government authorized by the Act to plan, finance, construct, operate and maintain community-wide infrastructure in planned community developments. CDDs provide a "solution to the state's planning, management and financing needs for delivery of capital infrastructure in order to service projected growth without overburdening other governments and their taxpayers." Section 190.002(1)(a), F.S.

A CDD is not a substitute for the local, general purpose government unit, i.e., the city or county in which the CDD lies. A CDD does not have the permitting, zoning or policing powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating and maintaining public infrastructure for developments, such as Firelight East.

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541(2), F.S., defines the elements a statement of estimated regulatory costs must contain:

(a) An economic analysis showing whether the rule directly or indirectly:

1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the

implementation of the rule;

2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or

3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

(b) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.

(c) A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues.

(d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. As used in this section, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.

(e) An analysis of the impact on small businesses as defined by s. 288.703, and an analysis of the impact on small counties and small cities as defined in s. 120.52. The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses. (Charlotte County, according to Census 2020, has a population of 186,847; therefore, it is not defined as a small county for the purposes of this requirement.)

(f) Any additional information that the agency determines may be useful.

(g) In the statement or revised statement, whichever applies, a description of any regulatory alternatives submitted under paragraph (1)(a) and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

Note: the references to "rule" in the statutory requirements for the Statement of Estimated Regulatory Costs also apply to an "ordinance" under section 190.005(2)(a), F.S.

- 2.0 An economic analysis showing whether the ordinance directly or indirectly:**
- 1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance;**
 - 2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance; or**
 - 3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.**

The ordinance establishing the District is not anticipated to have any direct or indirect adverse impact on economic growth, private sector job creation or employment, private sector investment, business competitiveness, ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation. Any increases in regulatory costs, principally the anticipated increases in transactional costs as a result of imposition of special assessments by the District will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is voluntary and all additional costs will be disclosed to prospective buyers prior to sale, such increases should be considered voluntary, self-imposed and offset by benefits received from the infrastructure and services provided by the District.

2.1 Impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.

The purpose for establishment of the District is to provide public facilities and services to support the development of a new, master planned residential development. The development of the approximately 338.02 +/- acres anticipated to be within the District will promote local economic activity, create local value, lead to local private sector investment and is likely to result in local private sector employment and/or local job creation.

Establishment of the District will allow a systematic method to plan, fund, implement, operate and maintain, for the benefit of the landowners within the District, various public facilities and services. Such facilities and services, as further described in Section 5, will allow for the development of the land within the District. The provision of District's infrastructure and the subsequent development of land will generate private economic activity, economic growth, investment and employment, and job creation. The District intends to use proceeds of indebtedness to fund construction of public infrastructure, which will be constructed by private firms, and once constructed, is likely to use private firms to operate and maintain such infrastructure and provide services to the landowners and residents of the District. The private developer of the land in the District will use its private funds to conduct the private land development and construction of an anticipated approximately 529 residential dwelling units, the construction, sale, and continued use/maintenance of which will involve private firms. While similar economic growth, private sector job creation or employment, or private sector investment could be achieved in absence of the District by the private sector alone, the fact that the establishment of the District is initiated by the private developer means that the private developer considers the establishment and continued operation of the District as beneficial to the process of land development and the future economic activity taking place within the District, which in turn will lead directly or indirectly to economic growth, likely private sector job growth and/or support private

sector employment, and private sector investments.

2.2 Impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.

When assessing the question of whether the establishment of the District is likely to directly or indirectly have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation, one has to compare these factors in the presence and in the absence of the District in the development. When the question is phrased in this manner, it can be surmised that the establishment of the District is likely to not have a direct or indirect adverse impact on business competitiveness, productivity, or innovation versus that same development without the District. Similar to a purely private solution, District contracts will be bid competitively as to achieve the lowest cost/best value for the particular infrastructure or services desired by the landowners, which will ensure that contractors wishing to bid for such contracts will have to demonstrate to the District the most optimal mix of cost, productivity and innovation. Additionally, the establishment of the District for the development is not likely to cause the award of the contracts to favor non-local providers any more than if there was no District. The District, in its purchasing decisions, will not vary from the same principles of cost, productivity and innovation that guide private enterprise.

2.3 Likelihood of an increase in regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.

The establishment of the District will not increase any regulatory costs of the State by virtue that the District will be one of many already existing similar districts within the State. As described in more detail in Section 4, the proposed District will pay a one-time filing fee to the County to offset any expenses that the County may incur in holding a local public hearing on the petition. Similarly, the proposed District will pay annually the required Special District Filing Fee, which fee is meant to offset any State costs related to its oversight of all special districts in the State.

The establishment of the District will, however, directly increase regulatory costs to the landowners within the District. Such increases in regulatory costs, principally the anticipated increases in transactional costs as a result of likely imposition of special assessments and use fees by the District, will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is completely voluntary, all current property owners must consent to the establishment of the District and all initial prospective buyers will have such additional transaction costs disclosed to them prior to sale, as required by State law. Such costs, however, should be considered voluntary, self-imposed, and as a tradeoff for the enhanced service and facilities provided by the District.

The District will incur overall operational costs related to services for infrastructure maintenance, landscaping, amenity operation and similar items. In the initial stages of development, the costs will likely be minimized. These operating costs will be funded by the landowners through direct funding agreements or special assessments levied by the District. Similarly, the District may incur costs associated with the issuance and repayment of special assessment revenue bonds. While these costs in the aggregate may approach the stated threshold over a five-year period, this would not be unusual for a Project of this nature and the infrastructure and services proposed to be provided by the District will

be needed to serve the Project regardless of the existence of the District. Thus, the District-related costs are not additional development costs. Due to the relatively low cost of financing available to CDDs, due to the tax-exempt nature of CDD debt, certain improvements can be provided more efficiently by the District than by alternative entities. Furthermore, it is important to remember that such costs would be funded through special assessments paid by landowners within the District, and would not be a burden on the taxpayers outside the District nor can the District debt be a debt of the County or the State.

3.0 A good faith estimate of the number of individuals and entities likely to be required to comply with the ordinance, together with a general description of the types of individuals likely to be affected by the ordinance.

The individuals and entities likely to be required to comply with the ordinance or affected by the proposed action (i.e., adoption of the ordinance) can be categorized, as follows: 1) The State of Florida and its residents, 2) Charlotte County and its residents, 3) current property owners, and 4) future property owners.

a. The State of Florida

The State of Florida and its residents and general population will not incur any compliance costs related to the establishment and on-going administration of the District, and will only be affected to the extent that the State incurs those nominal administrative costs outlined herein. The cost of any additional administrative services provided by the State as a result of this project will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

b. Charlotte County, Florida

The County and its residents not residing within the boundaries of the District will not incur any compliance costs related to the establishment and on-going administration of the District other than any one-time administrative costs outlined herein, which will be offset by the filing fee submitted to the County. Once the District is established, these residents will not be affected by adoption of the ordinance. The cost of any additional administrative services provided by the County as a result of this development will be incurred whether the infrastructure is financed through the District or any alternative financing method.

c. Current Property Owners

The current property owners of the lands within the proposed District boundaries will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.

d. Future Property Owners

The future property owners are those who will own property in the proposed District. These future property owners will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.

The proposed District will serve land that comprises an approximately 338.02 +/- acre master planned residential development currently anticipated to contain a total of approximately 529 residential

dwelling units, although the development plan can change. Assuming an average density of 3.5 persons per residential dwelling unit, the estimated residential population of the proposed District at build out would be approximately 1,852 +/- and all of these residents as well as the landowners within the District will be affected by the ordinance. The County, the proposed District and certain state agencies will also be affected by or required to comply with the ordinance as more fully discussed hereafter.

4.0 A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed ordinance, and any anticipated effect on state or local revenues.

The County is establishing the District by ordinance in accordance with the Act and, therefore, there is no anticipated effect on state or local revenues.

4.1 Costs to Governmental Agencies of Implementing and Enforcing Ordinance

Because the result of adopting the ordinance is the establishment of an independent local special purpose government, there will be no significant enforcing responsibilities of any other government entity, but there will be various implementing responsibilities which are identified with their costs herein.

State Governmental Entities

The cost to state entities to review or enforce the proposed ordinance will be very modest. The District comprises less than 2,500 acres and is located within the boundaries of Charlotte County. Therefore, the County (and not the Florida Land and Water Adjudicatory Commission) will review and act upon the Petition to establish the District, in accordance with Section 190.005(2), F.S. There are minimal additional ongoing costs to various state entities to implement and enforce the proposed ordinance. The costs to various state entities to implement and enforce the proposed ordinance relate strictly to the receipt and processing of various reports that the District is required to file with the State and its various entities. Appendix A lists the reporting requirements. The costs to those state agencies that will receive and process the District's reports are minimal because the District is only one of many governmental units that are required to submit the various reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to section 189.064, F.S., the District must pay an annual fee to the State of Florida Department of Economic Opportunity which offsets such costs.

Charlotte County, Florida

The proposed land for the District is located within Charlotte County, Florida and consists of less than 2,500 acres. The County and its staff may process, analyze, conduct a public hearing, and vote upon the petition to establish the District. These activities will absorb some resources; however, these costs incurred by the County will be modest for a number of reasons. First, review of the petition to establish the District does not include analysis of the project itself. Second, the petition itself provides most, if not all, of the information needed for a staff review. Third, the County already possesses the staff needed to conduct the review without the need for new staff. Fourth, there is no capital required to review the petition. Fifth, the potential costs are offset by a filing fee included with the petition to offset any expenses the County may incur in the processing of this petition. Finally, the County already processes similar petitions, though for entirely different subjects, for land uses and zoning changes that are far more complex than the petition to establish a community development district.

The annual costs to the County, because of the establishment of the District, are also very small. The District is an independent unit of local government. The only annual costs the County faces are the minimal costs of receiving and reviewing the reports that the District is required to provide to the County, or any monitoring expenses the County may incur if it establishes a monitoring program for governmental entities.

4.2 Impact on State and Local Revenues

Adoption of the proposed ordinance will have no negative impact on state or local revenues. A CDD is an independent unit of local government. It is designed to provide infrastructure facilities and services to serve the development project and it has its own sources of revenue. No state or local subsidies are required or expected.

Any non-ad valorem assessments levied by the District will not count against any millage caps imposed on other taxing authorities providing services to the lands within the District. It is also important to note that any debt obligations the District may incur are not debts of the State of Florida or any other unit of local government, including the County. By Florida law, debts of the District are strictly its own responsibility.

5.0 A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the ordinance.

Table 1 provides an outline of the various facilities and services the proposed District may provide. Financing for these facilities is projected to be provided by the District.

Table 2 illustrates the estimated costs of construction of the capital facilities, outlined in Table 1. Total costs of construction for those facilities that may be provided are estimated to be approximately \$53,710,000.00. The District may levy non-ad valorem special assessments (by a variety of names) and may issue special assessment bonds to fund the costs of these facilities. These bonds would be repaid through non-ad valorem special assessments levied on all developable properties in the District that may benefit from the District's infrastructure program as outlined in Table 2.

Prospective future landowners in the proposed District may be required to pay non-ad valorem special assessments levied by the District to provide for facilities and secure any debt incurred through bond issuance. In addition to the levy of non-ad valorem special assessments which may be used for debt service, the District may also levy a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services. However, purchasing a property within the District or locating in the District by new residents is completely voluntary, so, ultimately, all landowners and residents of the affected property choose to accept the non-ad valorem assessments as a tradeoff for the services and facilities that the District will provide. In addition, state law requires all assessments levied by the District to be disclosed by the initial seller to all prospective purchasers of property within the District.

Table 1
FIRELIGHT EAST
COMMUNITY DEVELOPMENT DISTRICT
Proposed Facilities and Services

FACILITY	FUNDED BY	OWNED BY	MAINTAINED BY
Stormwater Management System	CDD	CDD	CDD
Onsite Wetland Conservation/Migration	CDD	CDD	CDD
Public Roadways (Onsite)	CDD	CDD	CDD
Public Roadways (Offsite)	CDD	County	County
Water, Wastewater & Reclaim Utilities (Onsite & Offsite)	CDD	County	County
Hardscape, Landscape & Irrigation	CDD	CDD	CDD
Streetlights/Undergrounding of Electrical Lines	CDD	CDD	CDD
Recreational Amenities (Active & Passive)	CDD	CDD	CDD
Professional Services	CDD	N/A	N/A
Contingency	CDD	N/A	N/A

A CDD provides the property owners with an alternative mechanism of providing public services; however, special assessments and other impositions levied by the District and collected by law represent the transactional costs incurred by landowners as a result of the establishment of the District. Such transactional costs should be considered in terms of costs likely to be incurred under alternative public and private mechanisms of service provision, such as other independent special districts, County or its dependent districts, or County management but financing with municipal service benefit units and municipal service taxing units, or private entities, all of which can be grouped into three major categories: public district, public other, and private.

Table 2
FIRELIGHT EAST
COMMUNITY DEVELOPMENT DISTRICT
Estimated Costs of Construction

CATEGORY	COST
Stormwater Management System	\$13,000,000
Onsite Wetland Conservation/Migration	\$1,750,000
Public Roadways (Onsite)	\$6,250,000
Public Roadways (Offsite)	\$1,300,000
Water, Wastewater & Reclaim Utilities (Onsite & Offsite)	\$13,600,00
Hardscape, Landscape & Irrigation	\$4,000,000
Streetlights/Undergrounding of Electrical Lines	\$2,000,000
Recreational Amenities (Active & Passive)	\$3,500,000
Professional Services	\$1,500,000
Contingency	\$6,810,000
Total	\$53,710,000

With regard to the public services delivery, dependent and other independent special districts can be used to manage the provision of infrastructure and services, however, they are limited in the types of services they can provide, and likely it would be necessary to employ more than one district to provide all services needed by the development.

Other public entities, such as counties, are also capable of providing services, however, their costs in connection with the new services and infrastructure required by the new development and, transaction costs, would be borne by all taxpayers, unduly burdening existing taxpayers. Additionally, other public entities providing services would also be inconsistent with the State's policy of "growth paying for growth".

Lastly, services and improvements could be provided by private entities. However, their interests are primarily to earn short-term profits and there is no public accountability. The marginal benefits of tax-exempt financing utilizing CDDs would cause the CDD to utilize its lower transactional costs to enhance the quality of infrastructure and services.

In considering transactional costs of CDDs, it shall be noted that occupants of the lands to be included within the District will receive three major classes of benefits.

First, those residents in the District will receive a higher level of public services which in most instances will be sustained over longer periods of time than would otherwise be the case.

Second, a CDD is a mechanism for assuring that the public services will be completed concurrently with development of lands within the development. This satisfies the revised growth management legislation, and it assures that growth pays for itself without undue burden on other consumers. Establishment of the District will ensure that these landowners pay for the provision of facilities, services and improvements to these lands.

Third, a CDD is the sole form of local governance which is specifically established to provide CDD landowners with planning, construction, implementation and short and long-term maintenance of public infrastructure at sustained levels of service.

The cost impact on the ultimate landowners in the development is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above, if applicable, what the landowners would have paid to install infrastructure via an alternative financing mechanism.

Consequently, a CDD provides property owners with the option of having higher levels of facilities and services financed through self-imposed revenue. The District is an alternative means to manage necessary development of infrastructure and services with related financing powers. District management is no more expensive, and often less expensive, than the alternatives of various public and private sources.

6.0 An analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S.

There will be little impact on small businesses because of the establishment of the District. If anything, the impact may be positive because the District must competitively bid all of its contracts and competitively negotiate all of its contracts with consultants over statutory thresholds. This affords small businesses the opportunity to bid on District work.

Charlotte County has a population of 186,847 according to the Census 2020 conducted by the United States Census Bureau and is therefore not defined as a "small" county according to Section 120.52, F.S. It can be reasonably expected that the establishment of community development district for the Firelight East development will not produce any marginal effects that would be different from those that would have occurred if the Firelight East development was developed without a community development district established by the County.

7.0 Any additional useful information.

The analysis provided above is based on a straightforward application of economic theory, especially as it relates to tracking the incidence of regulatory costs and benefits. Inputs were received from the Petitioner's Engineer and other professionals associated with the Petitioner.

In relation to the question of whether the proposed Firelight East Community Development District is the best possible alternative to provide public facilities and services to the project, there are several additional factors which bear importance. As an alternative to an independent district, the County could establish a dependent district for the area or establish an MSBU or MSTU. Either of these alternatives could finance the improvements contemplated in Tables 1 and 2 in a fashion similar to the proposed District.

There are a number of reasons why a dependent district is not the best alternative for providing public facilities and services to the Firelight East development. First, unlike a CDD, this alternative would require the County to administer the project and its facilities and services. As a result, the costs for these services and facilities would not be directly and wholly attributed to the land directly benefiting from them, as the case would be with a CDD. Administering a project of the size and complexity of the development program anticipated for the Firelight East development is a significant and expensive

undertaking.

Second, a CDD is preferable from a government accountability perspective. With a CDD, residents and landowners in the District would have a focused unit of government ultimately under their direct control. The CDD can then be more responsive to resident needs without disrupting other County responsibilities. By contrast, if the County were to establish and administer a dependent special district, then the residents and landowners of the Firelight East development would take their grievances and desires to the County Commission meetings.

Third, any debt of an independent CDD is strictly that CDD's responsibility. While it may be technically true that the debt of a County-established, dependent special district is not strictly the County's responsibility, any financial problems that a dependent special district may have may reflect on the County. This will not be the case if a CDD is established.

Another alternative to a CDD would be for a Property Owners' Association (POA) to provide the infrastructure as well as operations and maintenance of public facilities and services. A CDD is superior to a POA for a variety of reasons. First, unlike a POA, a CDD can obtain low-cost financing from the municipal capital market. Second, as a government entity a CDD can impose and collect its assessments along with other property taxes on the County's real estate tax bill. Therefore, the District is far more assured of obtaining its needed funds than is a POA. Third, the proposed District is a unit of local government. This provides a higher level of transparency, oversight and accountability and the CDD has the ability to enter into interlocal agreements with other units of government.

8.0 A description of any regulatory alternatives submitted under section 120.541(1)(a), F.S., and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed ordinance.

No written proposal, statement adopting an alternative or statement of the reasons for rejecting an alternative have been submitted.

Based upon the information provided herein, this Statement of Estimated Regulatory Costs supports the petition to establish the Firelight East Community Development District.

APPENDIX A
LIST OF REPORTING REQUIREMENTS

REPORT	FL. STATUTE CITATION	DATE
Annual Financial Audit	190.008/218.39	9 months after end of Fiscal Year
Annual Financial Report	190.008/218.32	45 days after the completion of the Annual Financial Audit but no more than 9 months after end of Fiscal Year
TRIM Compliance Report	200.068	no later than 30 days following the adoption of the property tax levy ordinance/resolution (if levying property taxes)
Form 1 - Statement of Financial Interest	112.3145	within 30 days of accepting the appointment, then every year thereafter by 7/1 (by "local officers" appointed to special district's board); during the qualifying period, then every year thereafter by 7/1 (by "local officers" elected to special district's board)
Public Facilities Report	189.08	within one year of special district's creation; then annual notice of any changes; and updated report every 7 years, 12 months prior to submission of local government's evaluation and appraisal report
Public Meetings Schedule	189.015	quarterly, semiannually, or annually
Bond Report	218.38	when issued; within 120 days after delivery of bonds
Registered Agent	189.014	within 30 days after first meeting of governing board
Proposed Budget	190.008	annually by June 15
Adopted Budget	190.008	annually by October 1
Public Depositor Report	280.17	annually by November 30
Notice of Establishment	190.0485	within 30 days after the effective date of an ordinance establishing the District
Notice of Public Financing	190.009	file disclosure documents in the property records of the county after financing

EXHIBIT 9

AUTHORIZATION OF AGENT

This letter shall serve as a designation of Jonathan T. Johnson of Kutak Rock LLP, whose address is 107 West College Avenue Tallahassee, Florida 32301, to act as agent with regard to any and all matters pertaining to the Petition to the Board of County Commissioners of Charlotte County, Florida, to establish a Community Development District pursuant to Chapter 190, Florida Statutes. The petition is true and correct. This authorization shall remain in effect until revoked in writing.

Witnessed:

Zemel Land Partners, LLC
a Florida limited liability company

John McKay
Print Name: John McKay

Michael Neal
By: Michael Neal
Its: Manager

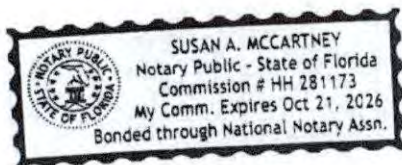
Richard B. Bledsoe
Print Name: RICHARD BLEDSE

STATE OF FLORIDA
COUNTY OF Sarasota

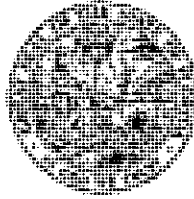
I hereby certify that on this day, before me, by means of ☒ physical presence or ☐ online notarization, an officer duly authorized to take acknowledgments, personally appeared MICHAEL NEAL as MANAGER of Zemel Land Partners, LLC, who executed the foregoing instrument, acknowledged before me that s/he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal this 8 day of NOVEMBER, 2023.

Susan A. McCartney
Notary Public



Personally known: ☒
Produced Identification: _____
Type of Identification: _____



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

February 27, 2024

Roger D. Eaton
Clerk of the Circuit Court
County Comptroller
Charlotte County
18500 Murdock Circle, Room 416
Port Charlotte, Florida 33948

Dear Roger Eaton,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2024-001, which was filed in this office on February 27, 2024.

Sincerely,

Matthew Hargreaves
Administrative Code and Register Director

MJH/wlh

Allies fear US is becoming less reliable, with growing concern over a possible Trump return

JILL LAWLESS
Associated Press

LONDON — As chances rise of a Joe Biden-Donald Trump rematch in the U.S. presidential election, America's allies are bracing for a bumpy ride.

Many worry that a second term for Trump would be an earthquake, but tremors already abound — and concerns are rising that the U.S. could grow less dependable regardless of who wins. With a divided electorate and gridlocked Congress, the next American president could easily become consumed by manifold challenges at home — before even beginning to address flash points around the world, from Ukraine to the Middle East.

French President Emmanuel Macron's recent verdict was blunt: America's "first priority is itself."

The first Trump administration stress-tested the bonds between the U.S. and its allies, particularly in Europe. Trump decided the leaders of some friendly nations, including Germany's Angela Merkel and Britain's Theresa May, while praising authoritarianism such as Turkish President Recep Tayyip Erdogan and Russian leader Vladimir Putin. He has called China's Xi Jinping "brilliant" and Hungary's Viktor Orbán "a great leader."

In campaign speeches, Trump remains skeptical of organizations such as NATO, often lamenting the billions the U.S. spends on the military alliance whose support has been critical to Ukraine's fight against Russia's invasion.

He said at a rally on Saturday that, as president, he would encourage Russia "in whatever way he felt they want" to countries that didn't pay their way in the alliance. Trump also wrote on his social media network that in future the U.S. should end all foreign aid donations and replace them with loans.

NATO Secretary General Jens Stoltenberg warned that Trump risked endangering U.S. troops and their allies. "Any suggestion that allies will not defend each other undermines all of our security, including that of the U.S.," and puts American and European soldiers at increased risk, he said in a statement Sunday.

Biden, meanwhile, has made support for Ukraine a key priority and moral imperative. But Biden's re-election after his election in 2020 that "America is back" on the global stage has not been entirely borne out. Congressional Republicans have stalled more military aid for Ukraine, while American influence has been unable to contain conflict in the Middle East.

Thomas Giff, director of the Center on U.S. Politics at University College London, said that whoever wins the presidential race, the direction of travel will be the same — toward a multipolar planet in which the United States is no longer "the indispensable superpower."

Masthead leaders refrain from commenting directly on the U.S. election, sticking to the line that it's for Americans to pick their leader. They are conscious that they will have to work with the eventual winner, whoever it is — and behind the scenes, governments will be doing the "backroom work" of quietly establishing links

with the contenders' political camps, said Richard Dalton, a former senior British diplomat.

But many of America's European NATO allies are worried that with or without Trump, the U.S. is becoming less reliable. Some have started to talk openly about the need for members to ramp up military spending, and to plan for an alliance without the United States.

German Chancellor Olaf Scholz said he was "currently on the phone a lot with my colleagues and asking them to do more" to support Ukraine. Germany is the second-largest donor of military aid to Kyiv, behind the U.S., but Scholz recently told German weekly Die Zeit that the country couldn't fill any gap on its own if "the U.S. ceased to be a supporter."

Trump's comments on Saturday about NATO rang alarm bells in Poland, which shares a border with Ukraine. "We have a hot war on our border," Polish Prime

Minister Donald Tusk said Sunday.

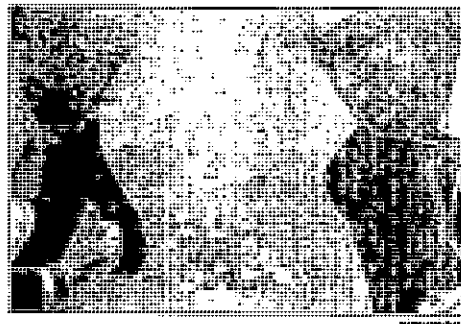
He warned: "We must realize that the EU cannot be an economic and civilizational giant and a dwarf when it comes to defense, because the world has changed."

Russia, meanwhile, is busy bolstering ties with China, Iran and North Korea and trying to chip away at Ukraine's international support.

Macron also suggested American attention was focused far from Europe. If Washington's top priority is the U.S., he said its second is China.

"This is also why I want a stronger Europe, that knows how to protect itself and isn't dependent on others," Macron told at a January news conference.

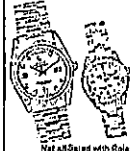
Trump does have supporters in Europe, notably pro-Russia populists such as Hungary's Orbán. Disfranchised British Prime Minister Boris Johnson raised some eyebrows when he argued recently that "a Trump



Then-U.S. President Donald Trump, right, meets with Russian President Vladimir Putin at the G20 Summit in Hamburg, Germany, July 7, 2017. While in power, Trump decided the leaders of some friendly nations while praising authoritarianism such as Putin. As chances rise of a Joe Biden-Trump rematch in the U.S. presidential election race, America's allies are bracing for a bumpy ride.

presidency could be just what the world needs." Johnson is a strong supporter of Ukraine in its struggle against Russian invasion, whereas Trump has frequently praised Putin and said he ended the war within 24 hours.

However, Johnson said in a Daily Mail column that he didn't believe Trump would "ditch the Ukrainians," but instead would help Ukraine win the war, leaving the West stronger "and the world more stable."



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NOTICE OF PUBLIC MEETING AND HEARING FOR ONE OR MORE OF THE FOLLOWING MATTERS: PROPOSED CHANGES TO THE FUTURE LAND USE MAP AND COMPREHENSIVE PLAN ELEMENTS, DEVELOPMENTS OF REGIONAL IMPACT OR CHANGES THERETO, REZONINGS, TRANSFER OF DENSITY UNITS (TDU), PRELIMINARY AND FINAL PLATS, DEVELOPER AGREEMENTS, STREET AND PLAT VACATIONS, DRC FINAL DETAIL PLANS OR CHANGES THERETO, TEXT AMENDMENTS AND STREET NAMING

A PUBLIC MEETING AND HEARING ON PETITIONS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, FEBRUARY 27, 2024, AT 9:00 A.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF FACTUM. THE MEETING AND HEARING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 118, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 1500 HURLOCK CIRCLE, PORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. ANY OF THESE PETITIONS MAY BE CONSIDERED AS MUCH AS THE MEETING COMMENCES.

COPIES OF SAID PETITIONS WITH COMPLETE LEGAL DESCRIPTIONS AND SUBSEQUENT STAFF REPORTS WILL BE AVAILABLE FOR REVIEW AT THE CHARLOTTE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT AND ALL CHARLOTTE COUNTY PUBLIC LIBRARIES. A MEETING AGENDA AND PETITION PACKET MAY BE REVIEWED AT THE FOLLOWING INTERNET ADDRESS: <http://www.charlottecountyfl.gov/development/planning/county-agenda-petition.html>

ALL INTERESTED PERSONS ARE URGED TO ATTEND. THE PUBLIC IS WELCOME TO SPEAK. TIME LIMITS ARE SET BY BOARD RULES. IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARING(S). PLEASE CALL 941-761-4603 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

PETITIONS
LAND USE CONSENT AGENDA
DRC-23-00000
Sill Engineering Group is requesting PD Final Detail Site Plan approval for Old Landfill Road Overhead Storage Facility. The project consists of a 600-SF office and warehouse storage with canopy. This project site is 10.574 acres and is located at 25505 Old Landfill Road, Port Charlotte, FL 33980 in Section 19, Township 40, Range 23.

FP-23-12-27
Lennar Homes, LLC is requesting Final Plat approval for a residential subdivision to be named, Tuckers Cove, consisting of 659 single-family lots and 44 tracts for future development of multi-family homes, lakes, preservation areas, roads, common areas, and an amenity site. The proposed subdivision is a residential development that received Preliminary Plat approval from the Board of County Commissioners under FP-23-12-17 on September 12, 2023. They also seek approval of a Developer's Agreement and covenants to cover the construction of the plat infrastructure. This site contains 723.414 acres and is generally located south of Burroughs Road, north of Babcock Trail and east of SR 31, inside the boundary of the Babcock Ranch Community Development of Regional Impact (CDRI) Increment 2, in the East County area, and in Commission District I.

FP-23-03-01
Lennar Homes, LLC is requesting Final Plat approval for a residential subdivision to be named, Webb Reserve, consisting of 171 single-family lots and 37 tracts for lakes, preserve areas, roads, common areas, a future amenity site and golf course. The proposed subdivision is a residential development that received Preliminary Plat approval from the Board of County Commissioners under FP-23-03-04 on September 12, 2023. They also seek approval of a Developer's Agreement and covenants to cover the construction of the plat infrastructure. This site contains 648.514 acres and is generally located south of Burroughs Road, north of Babcock Trail and east of SR 31, inside the boundary of the Babcock Ranch Community Development of Regional Impact (CDRI) Increment 2, within the East County area, and in Commission District I.

LAND USE REGULAR AGENDA
CDU-23-02
An Ordinance of the Board of County Commissioners of Charlotte County, Florida, pursuant to Chapter 190, Florida Statutes, amending Part IV, Municipal Service District and Voting Units, Chapter 4-15 Municipal Service Districts, by creating new Article XIX, Firelight East Community Development District (CDD); providing for new Section 4-1.3-240, Authority; providing for new Section 4-1.3-241, District Name; providing for new Section 4-1.3-242, District External Boundaries; providing for new Section 4-1.3-243, District Powers and Functions; providing for new Section 4-1.3-244, Board of Supervisors; providing for additional requirements and providing for repealing: Section No. CDU-23-02, Applicant: Zoned Land Partners, LLCs providing for an effective date. The proposed CDD is located at 26001 or 27001 Zoned Road, in the Punta Gorda area, within the scope of the Burt's Hole Area 19a area, and in Commission District II. The site contains 333.082 acres.

PAL-23-00002
Pursuant to Section 163.31(4)(3), Florida Statutes, adopt a Large Scale Plan Amendment, the amendment requests to change Charlotte County PLU21 Service Map 21 - 2000 Future Land Use, from Agriculture (AU) to Mineral Resource Extraction (MRE); for property located at 3721 SR 31, in the Punta Gorda area and within the East County area, containing 536.221 acres, Commission District I; Petition No. PAL-23-00002, Applicant: JD Farms Inc.; providing an effective date.

Z-23-34-13
An Ordinance pursuant to Section 135.64, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Recreation and Mining (RM), for property located at 3721 SR 31, in the Punta Gorda area and within the East County area, containing 536.221 acres, Commission District I; Petition No. Z-23-34-13, Applicant: JD Farms Inc.; providing an effective date.

Z-23-34-14
An Ordinance pursuant to Section 135.64, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Single-Family-1.5 to Industrial General (IG) in order to correct an inconsistency between the Future Land Use Map designation and Zoning District; for a portion of Charlotte County Right-of-Way, located at 19445 Kentworth Boulevard, in the Port Charlotte area, containing 0.3134 acres, Commission District V; Petition No. Z-23-34-14, Applicant: Eco-South Services; providing an effective date.

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's function, including access to and participation in meetings, programs and activities. For more information, please contact the County's Disability Services Unit at the County's main office or by email at disability@charlottecountyfl.gov.

Published: February 12, 2024





Ticket# 3919419-1
BCC 02.27.24
AD ID# 3919420
5 x 13
Submitted by: Heather Bennett
Publish: 02/12/2024
163352 3919420

**PUBLISHER'S AFFIDAVIT OF
PUBLICATION STATE OF FLORIDA COUNTY
OF CHARLOTTE:**

Before the undersigned authority personally appeared Melinda Prescott, who on oath says that she is the Legal Advertising Representative of The Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

02/12/24

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

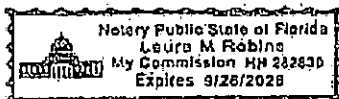
Melinda Prescott

(Signature of Affiant)

Sworn and subscribed before me this 12th day of
February, 2024

Laura M Robins

(Signature of Notary Public)



Personally known X OR Produced Identification

Attachment 6

Resolution Number 2024-143

CHG
BCC

RESOLUTION
NUMBER 2024 - 143

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, GRANTING BANKS ENGINEERING PLANNED DEVELOPMENT (PD) FINAL DETAIL SITE PLAN APPROVAL FOR FIRELIGHT EAST; THE FIRST PHASE OF THE DEVELOPMENT CONSISTS OF 344 SINGLE-FAMILY UNITS ON 338.02± ACRES, LOCATED AT 27001 ZEMEL ROAD, PUNTA GORDA, FLORIDA, WITHIN THE BOUNDARY OF THE BURNT STORE AREA PLAN, IN COMMISSION DISTRICT II.

RECITALS

WHEREAS, Banks Engineering ("Applicant") submitted Application DRC-24-030 requesting Planned Development (PD) Final Detail Site Plan approval for Firelight East; the first phase of this development consists of 344 single-family units on 338.02± acres, located at 27001 Zemel Road, Punta Gorda, Florida, within the boundary of the Burnt Store Area Plan ("Property"), and more particularly described in Exhibit "A" attached hereto; and

WHEREAS, the Property was rezoned to Planned Development (PD) on September 18, 2007, pursuant to Ordinance Number 2007-063, along with its associated PD conditions; and

WHEREAS, on April 25, 2023, the Board of County Commissioners of Charlotte County, Florida ("Board") adopted Ordinance Number 2023-019 approving a request to extend the time limitation of the Planned Development (PD) Concept Plan under Ordinance Number 2007-063; and

WHEREAS, the Charlotte County Site Plan Review committee reviewed Application DRC-24-030 for technical compliance with the Code of Laws and Ordinances of

MIN

Charlotte County, Florida ("Code") and finds it to be generally consistent with Charlotte County's Comprehensive Plan, the Code, and other applicable guidelines; and

WHEREAS, the Board has reviewed Application DRC-24-030 and the findings of the Site Plan Review committee.

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

1. Application DRC-24-030 is approved with the following conditions which must be met by the Applicant:

A. As required by Code Section 3-9-45(d)(4)(d), the projected schedule for the development approved by this Resolution from commencement to buildout shall be as follows:

- i. Commencement shall begin after approval by the Board.
- ii. Buildout shall be substantially completed prior to September 10, 2027.

B. Development standards shall comply with Ordinance Number 2023-019, as may be amended by the Board.

2. The effective date of this Resolution shall be the date this Resolution is recorded.

[SIGNATURE PAGE FOLLOWS]

PASSED AND DULY ADOPTED this 10th day of September, 2024.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Truex
William G. Truex, Chairman



ATTEST:
Roger D. Eaton, Clerk of
Circuit Court and Ex-Officio Clerk
of the Board of County Commissioners

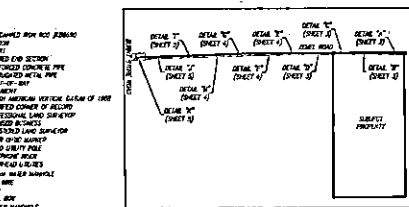
By: Kimberly Walsh
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR2024-0765
Kw



OF A PARCEL OF LAND LYING IN
SECTION 28, TOWNSHIP 42 SOUTH, RANGE 23 EAST,
CHARLOTTE COUNTY, FLORIDA



62-71-2523 (DET. LOU REYES)

Spring Training Off Florida

AWING	DESIGN	DRAWN	CHECKED	SCALE
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JS	COB	1-200
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OF A PARCEL OF LAND LYING IN
SECTION 28, TOWNSHIP 42 SOUTH, RANGE 23 EAST,
CHARLOTTE COUNTY, FLORIDA

[illegible]

LEGEND

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IN	CURTAIN CORNER OF SECTION	☼	
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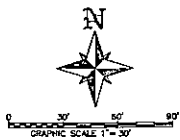
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- ⊕ CUT WIRE
- ▲ SON
- NAIL BOX
- ◆ POWER HANDLE
- ⊕ WIRE REST UTILITY POLE

BANKS
ENGINEERING

4901 YAMASKI TRAIL - BLOC 5 UNIT 201
PORT CHARLOTTE, FLORIDA 33852
PHONE: (813) 625-1750 FAX: (813) 625-2146
DONALDING LICENSE # CB 0440
DUNNIE LICENSE # LR 0480
WWW.BANQUEER.COM

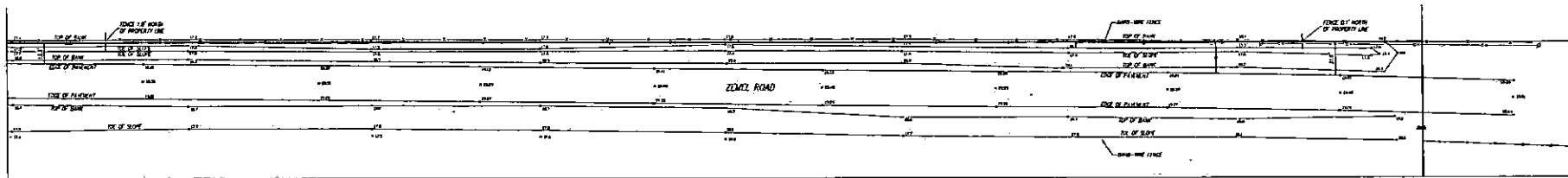
BOUNDARY SURVEY
E. 1/2 OF SEC. 28, TWP. 42 S., RGE. 23 E.
CHARLOTTE COUNTY, FLORIDA

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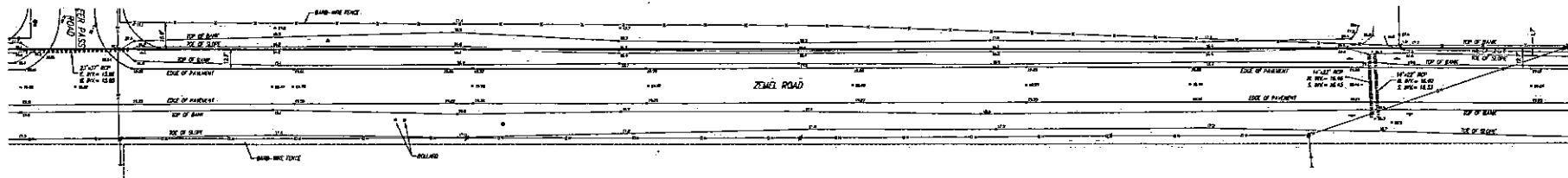


SURVEY PLAT

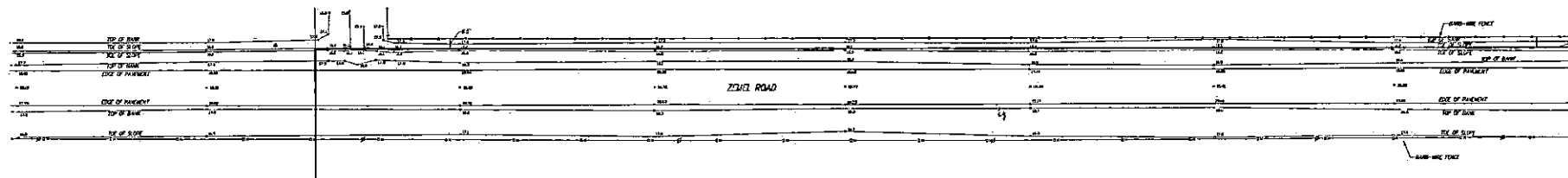
OF A PARCEL OF LAND LYING IN
SECTION 28, TOWNSHIP 42 SOUTH, RANGE 23 EAST,
CHARLOTTE COUNTY, FLORIDA



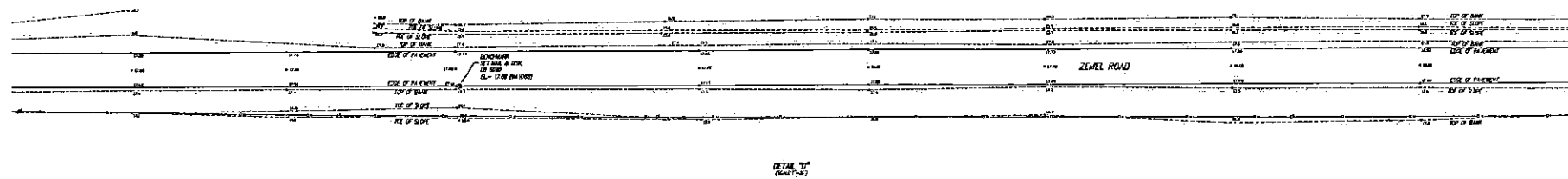
DETAIL "A"
(SHEET 1-5)



DETAIL "B"
(SHEET 1-6)



DETAIL "C"
(SHEET 1-7)



DETAIL "D"
(SHEET 1-8)

- LEGEND**
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6	6/5/22	REVISION 6
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100	9/6/22	REVISION 100

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1001 JOHNSON ROAD - SUITE 200
FORT CHARLOTTE, FLORIDA 33611
PHONE: (813) 330-1100 FAX: (813) 330-1100
ENGINEERING LICENSE # 12345
SURVEYING LICENSE # 67890
www.bankseng.com

BOUNDARY & TOPOGRAPHIC SURVEY
E. 1/2 OF SEC. 28, TWP. 42 S., RGE. 23 E.
CHARLOTTE COUNTY, FLORIDA

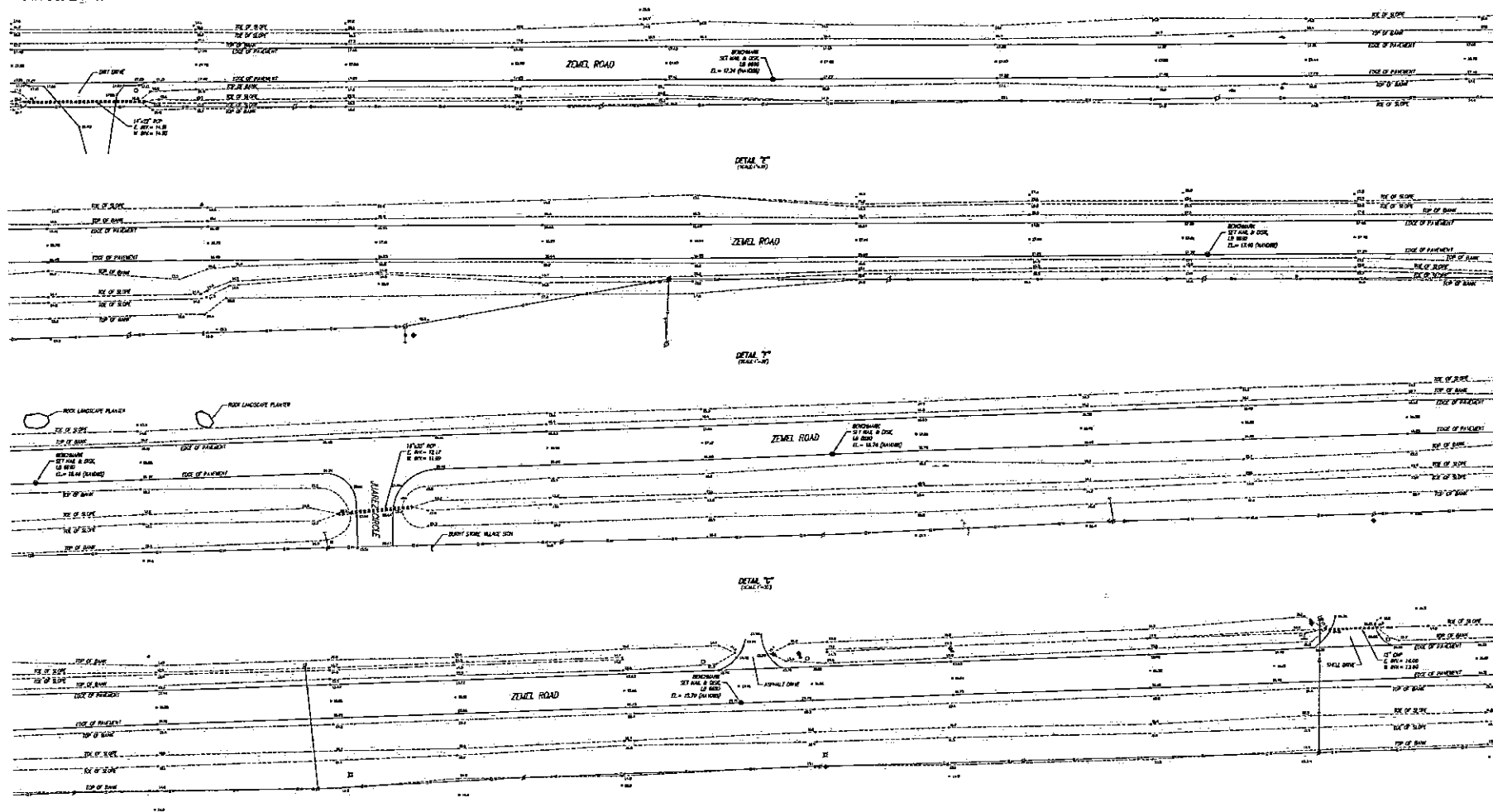
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DRAWING SCALE 1" = 30'

SURVEY PLAT

OF A PARCEL OF LAND LYING IN
SECTION 28, TOWNSHIP 42 SOUTH, RANGE 23 EAST,
CHARLOTTE COUNTY, FLORIDA



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DATE	5/31/22
PROJECT	3215N
DRAWING	3215N-SR
DESIGN	
DRAWN	JLS
CHECKED	COB
SCALE	1"=30'
SHEET	4 of 6

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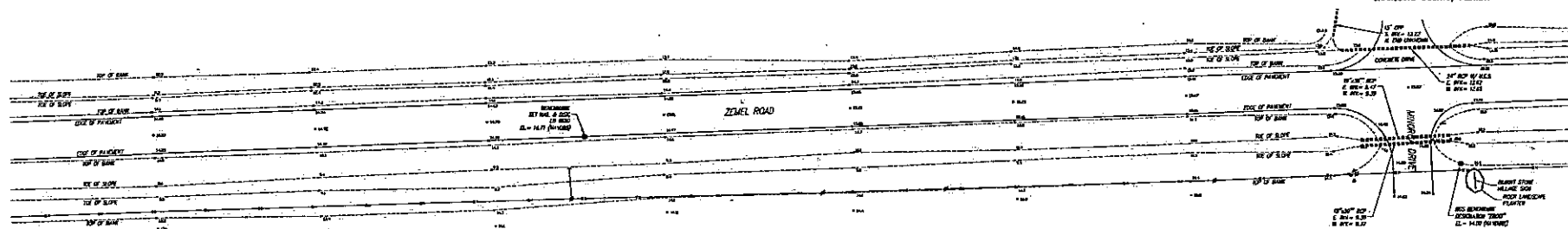
4000 TAMPA TRAIL - WILCOX & SONS, INC.
PORT CHARLOTTE, FLORIDA 33602
PHONE: (813) 881-1187 FAX: (813) 881-1188
www.bankseng.com

BOUNDARY & TOPOGRAPHIC SURVEY
E. 1/2 OF SEC. 28, TWP. 42 S., RGE. 23 E.
CHARLOTTE COUNTY, FLORIDA

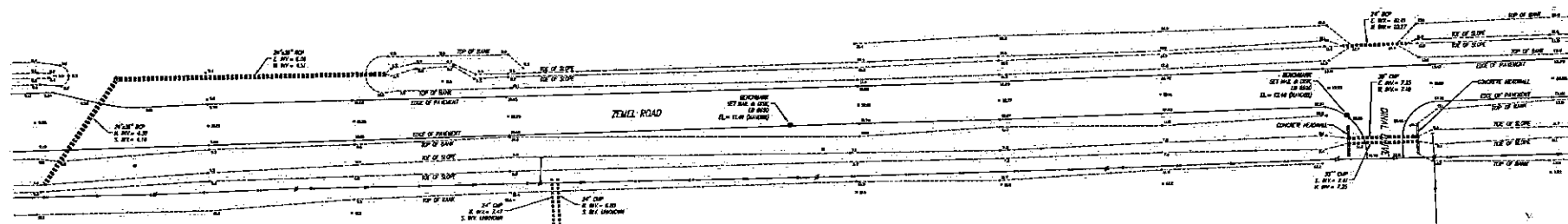
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SURVEY PLAT

OF A PARCEL OF LAND LYING IN
SECTION 28, TOWNSHIP 42 SOUTH, RANGE 23 EAST,
CHARLOTTE COUNTY, FLORIDA



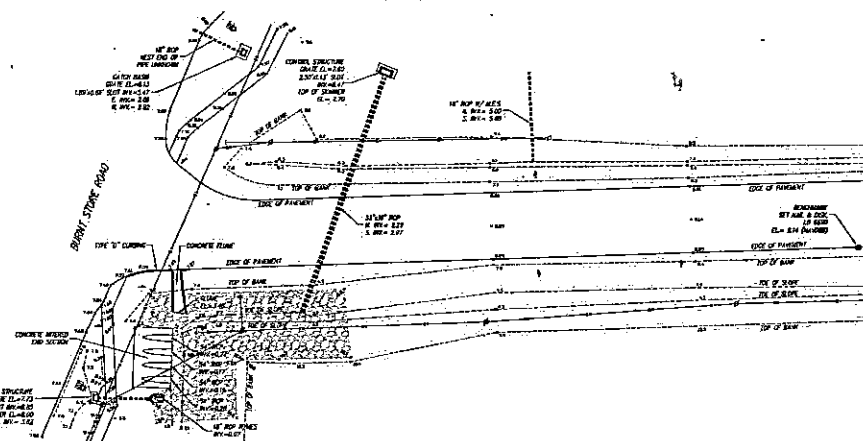
DETAIL 1
(TRACT 10)



DETAIL 2
(TRACT 10)



GRAPHIC SCALE 1" = 30'



DETAIL 3
(TRACT 10)

DETAIL 4
(TRACT 10)

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1001 TOWNHALL TRAIL - ROAD 6, LOT 100
PORT CHARLOTTE, FLORIDA 33682
PHONE: (813) 852-1001 FAX: (813) 852-1114
WWW.BANKSENG.COM

BOUNDARY & TOPOGRAPHIC SURVEY					
E. 1/2 OF SEC. 28, TWP. 42 S., RGE. 23 E.					
CHARLOTTE COUNTY, FLORIDA					
DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED
5/31/22	3215H	3215H-01	JS	CD	CD
SCALE					SHEET
1"=30'					5 of 6

Attachment 7

Ordinance Number 2024-034

September 30, 2024

ORDINANCE
NUMBER 2024 034

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM RESIDENTIAL ESTATE 1 (RE-1) (47.85± ACRES) AND PLANNED DEVELOPMENT (PD) (96.99± ACRES) TO PD IN ORDER TO HAVE A RESIDENTIAL DEVELOPMENT UP TO 273 RESIDENTIAL UNITS (A REDUCTION OF 86 RESIDENTIAL UNITS); REQUIRING TRANSFER OF DENSITY UNITS FOR RESIDENTIAL DEVELOPMENT ABOVE THE BASE DENSITY OF 14 UNITS; ADOPTING A GENERAL PD CONCEPT PLAN FOR THE PROPERTY, INCLUDING MULTIPLE PARCELS, GENERALLY LOCATED NORTH AND EAST OF PRADA DRIVE, SOUTH OF ZEMEL ROAD, EAST OF BURNT STORE ROAD, AND WEST OF CHARLOTTE COUNTY LANDFILL AND WEIGH STATION, IN THE BOUNDARY OF THE BURNT STORE AREA PLAN AREA AND IN THE PUNTA GORDA AREA, CONTAINING 144.84± ACRES; CHARLOTTE COUNTY, FLORIDA; COMMISSION DISTRICT II; PETITION NO. PD-24-05; APPLICANT: ZEMEL LAND PARTNERS LLC; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Tuesday, September 24, 2024, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition PD-24-05 submitted by applicant, Zemel Land Partners LLC ("Applicant"), which requested a rezoning from Residential Estate 1 (RE-1) (47.85± acres) and Planned Development (PD) (96.99± acres) to PD in order to have a residential development up to 273 residential units (a reduction of 86 residential units); requiring transfer of density units for residential development above the base density of 14 units; adopting a General PD Concept Plan for the property, including multiple parcels, generally located north and east of Prada Drive, south of Zemel Road, east of Burnt Store Road, and west of Charlotte

MIN

County Landfill and Weigh Station, in the boundary of the Burnt Store Area Plan area and in the Punta Gorda area, containing 144.84± acres, Commission District II, and more particularly described in Exhibit "A" which is attached hereto and by this reference provided herein ("Property"); and

WHEREAS, Petition PD-24-05 was heard by the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the findings and analysis provided by County Staff and the evidence presented to the P&Z Board, the P&Z Board recommended approval on August 12, 2024; and

WHEREAS, after due consideration, based on the findings and analysis provided by County Staff and the evidence presented to it, the Board finds that approval of Petition PD-24-05 is consistent with the County's Comprehensive Plan and meets the requirements for the granting of a rezone; and

WHEREAS, the Board finds that approval of Petition PD-24-05 to rezone the subject property from RE-1 (47.85± acres) and Planned Development (PD) (96.99± acres) to PD to be in the best interests of the County.

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

SECTION 1. The following petition, made by applicant, Zemel Land Partners LLC ("Applicant"), for an amendment to the Charlotte County Zoning Atlas is hereby approved subject to the General PD Concept Plan and conditions contained in the attached Exhibit "B":

Petition PD-24-05 requesting a rezoning from Residential Estate 1 (RE-1) (47.85± acres) and

Planned Development (PD) (96.99± acres) to PD in order to have a residential development up to 273 residential units (a reduction of 86 residential units); requiring transfer of density units for residential development above the base density of 14 units; adopting a General PD Concept Plan for the property, including multiple parcels, generally located north and east of Prada Drive, south of Zemel Road, east of Burnt Store Road, and west of Charlotte County Landfill and Weigh Station, in the boundary of the Burnt Store Area Plan area and in the Punta Gorda area, containing 144.84± acres, Commission District II, and more particularly described in Exhibit "A" which is attached hereto and by this reference provided herein.

SECTION 2. That the zoning for this property shall run with the property and shall apply to any subsequent owners, heirs and assigns.

SECTION 3. This Ordinance's effective date shall be upon filing in the Office of the Secretary of State, State of Florida.

[SIGNATURE PAGE FOLLOWS]

PASSED AND DULY ADOPTED this 24th day of September, 2024.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: _____

William C. Truex, Chairman

ATTEST:

Roger D. Eaton, Clerk of the Circuit Court
and Ex-Officio Clerk of the
Board of County Commissioners

By: _____

Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: _____

Janette S. Knowlton, County Attorney

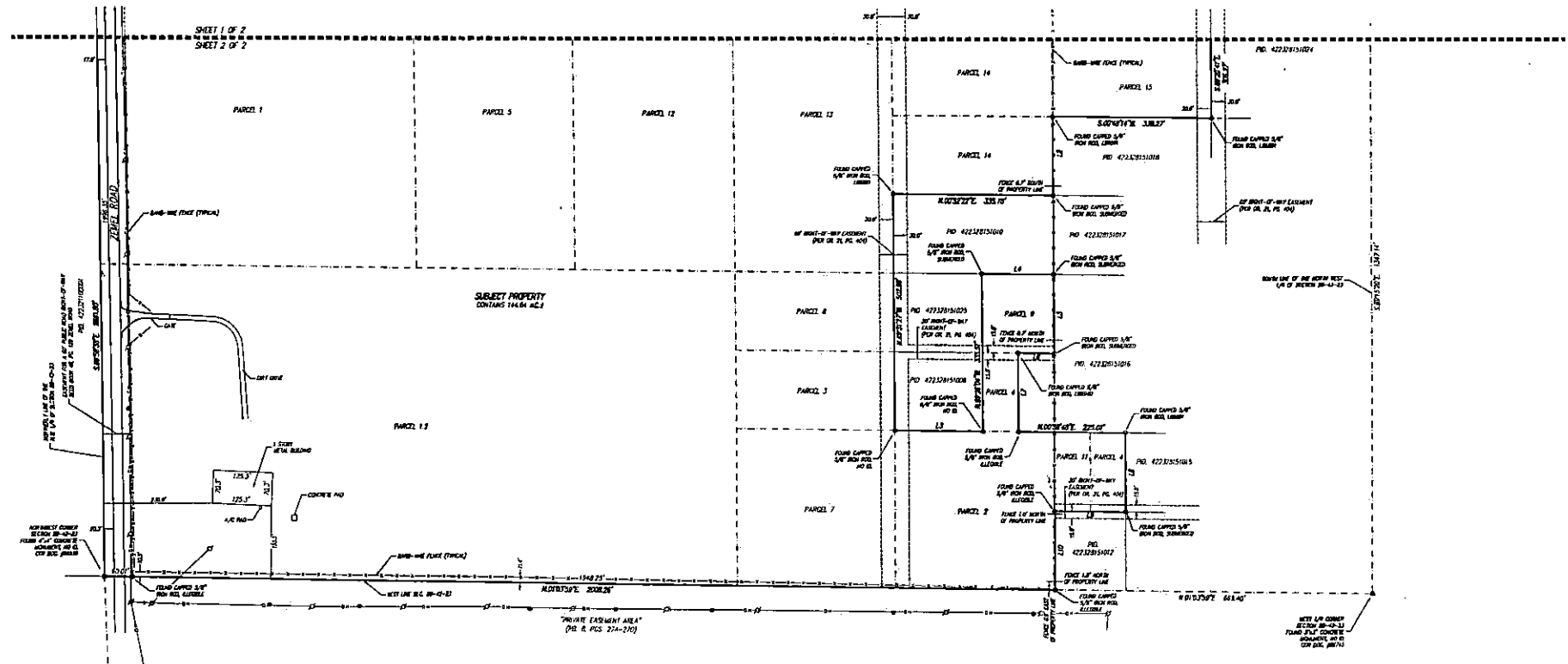
2024-0263



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GRAPHIC SCALE 1" = 100'

SURVEY PLAT

OF A PARCEL OF LAND LYING IN
SECTION 28, TOWNSHIP 42 SOUTH, RANGE 23 EAST,
CHARLOTTE COUNTY, FLORIDA



- LEGEND**
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DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
9/28/23	4658	4658-SH		JS	CCR	1"=100'	2 of 2

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ONE TAMARAC TRAIL, SUITE 200
FORT CHARLOTTE, FLORIDA 34649
PHONE: (813) 822-1800 FAX: (813) 822-1144
FLORENTINE LUCIANO, P.E. & L.S.
SARAH LUCIANO, P.E. & L.S.
BANKS ENGINEERING

BOUNDARY SURVEY
26001 & 26701 ZEMEL ROAD
CHARLOTTE COUNTY, FLORIDA

DATE: 9/28/23 PROJECT: 4658 DRAWING: 4658-SH DESIGN: DRAWN: JS CHECKED: CCR SCALE: 1"=100' SHEET: 2 of 2

PD Conditions for Application PD-24-05

This proposed development shall comply with all applicable requirements as set forth in Charlotte County's Code of Laws and Ordinances. In addition, the following shall apply:

- a. Development of the subject property shall occur as generally illustrated on the General PD Concept Plan (Attachment 1: Firelight South PD Concept Plan) submitted by the applicant, prepared by Banks Engineering, dated December 12, 2023, revised July 22, 2024, except such modifications as may be required to meet the conditions of the PD zoning district. The open space area shall be no less than 73.11± acres. The General PD Concept Plan includes 56.74± acres of wetlands and associated uplands, 16.37± acres of common open space area which shall not include any stormwater areas. In addition, the PD Concept Plan Site Plan Review (Petition No. DRC-23-00223) is subject to the comments and conditions contained in the letter dated April 12, 2024, and signed by Shaun Cullinan, Charlotte County Planning and Zoning Official. The General PD Concept Plan shall be valid until a Final Detail Site Plan is approved per Code Section 3-9-45.
- b. The base density for the subject property is 14 units. The proposal is to develop a total of 273 dwelling units. Any residential development above 14 units shall require transferred density units. The transfer of density units must be approved by the Board of County Commissioners subject to the County's Land Development Regulations 3-9-150: Transfer of Density Units, as may be amended, prior to Final Detail Site Plan or Preliminary Plat approval, whichever occurs first.
- c. Permitted uses and accessory uses.
 - i. Single-family homes attached or detached.
 - ii. Townhomes.
 - iii. Amenities such as clubhouse, community pool, tennis court or other similar non-commercial recreational uses and structures.
 - iv. Community garden.
 - v. Park, public or not-for-profit.
 - vi. Accessory uses and structures, which are uses and structures customarily accessory and clearly incidental to permitted uses and structures, including, but not limited to:
 - 1) Garages, carports and sheds.
 - 2) Fences or walls.
 - 3) Swimming pools, tennis court or other similar non-commercial recreational uses and structures.
- d. Special exceptions shall not be allowed.



- e. No development shall occur prior to Final Detail Site Plan approval. Final Detail Site Plan, when sufficient and acceptable to County, will be scheduled on the Board of County Commissioners land use consent agenda.
- f. A development timeline and phasing plan for the entire PD shall be submitted as part of the Final Detail Site Plan application.
- g. The maximum building height for single-family homes, townhomes, and amenity structures is 38 feet from the base flood elevation. Other development standards are listed on the PD Concept Plan(s).
- h. All roadways within the development shall be constructed to Charlotte County standards. All private roadways must be maintained in perpetuity by the developer, and subsequently, a homeowners' association or similar entity.
- i. The applicant/property owner shall provide a pedestrian/sidewalk system with a minimum width of five feet throughout the development, which shall be part of the Final Detail Site Plan. At a minimum, an eight feet sidewalk is required along Zemel Road for the subject property boundary.
- j. There shall be two entrances located on Zemel Road, and one optional pedestrian/vehicle access to the property located immediately to the east, which are shown on the General PD Concept Plan(s). The exact locations for these access points will be determined during Final Detail Site Plan review. County Transportation staff reserve the right to make additional comments regarding site related improvements and other matters at the time of Final Detail Site Plan review.
- k. Prior to Final Detail Site Plan approval, the applicant shall be required to meet concurrency per Article XIV, Concurrency Management. As to transportation concurrency, the applicant shall be required to account for project traffic and previously approved developments which have reserved capacity in the roadway level of service analysis. If the level of service (LOS) falls below the adopted minimum standard due to the proposed development traffic, a proportionate share analysis may be required to satisfy concurrency.
- l. At the Final Detail Site Plan for any phase of the development submittal, the developer shall prepare an updated traffic impact study to:
 - i. Include a signal warrant at one project entrance on Zemel Road. Before the project can receive any residential Certificates of Occupancy, and if the Traffic Impact Study shows that a signal meets the warrants, the design, construction and installation requirements for a traffic signal at the project entrance shall be memorialized in a developer's agreement acceptable to the County. The applicant has the option to build a roundabout at the project entrance on Zemel Road. The design, construction and installation requirements for such

roundabout shall be memorialized in a developer's agreement acceptable to the County.

- ii. Include a signal warrant at the intersection of Burnt Store Road and Zemel Road. If signal warrants are met at the intersection of Burnt Store Road and Zemel Road, and before any residential Certificates of Occupancy for any project phase can be issued, the traffic signal development shall be memorialized in a developer's agreement acceptable to the County.
- m. The development must use potable water and sanitary sewer utilities. The potable water and sanitary sewer lines must be connected to the site before any certificates of occupancy shall be issued. The developer may extend reclaimed water utility lines, if available at the time of construction.
- n. The 25-foot PD setback is required as shown on the PD Concept Plan. Access points such as roads and sidewalks, stormwater, landscaping and buffers may be located within the 25-foot PD setback. There are existing 60-foot and 30-foot rights-of-way as shown on the General PD Concept Plan(s).
- o. The site shall be developed with a unified landscaping theme. Landscaping and Buffers:
 - i. At a minimum, planting equivalent to Type "A" buffer for accent trees and canopy trees and perimeter hedge row which must be a minimum 36 inches in height upon planting (the minimum maintained height of 48 inches) to form a continuous, solid visual screen within one (1) year of planting shall be required within the 25-foot PD setback for the property boundary adjacent to Zemel Road except for entrances and wetlands.
 - ii. At a minimum, planting equivalent to Type "B" buffer for accent trees and canopy trees and perimeter hedge row which must be a minimum 36 inches in height upon planting (the minimum maintained height of 48 inches) to form a continuous, solid visual screen within one (1) year of planting shall be required within the 25-foot PD setback for the property boundary adjacent to Zemel Road and in front of single-family homes located within 50 feet of the property boundary. For all single-family homes located outside of the 50 feet of the property boundary, condition o.i. shall apply.
 - iii. At a minimum, planting equivalent to Type "B" buffer must be placed within the 25-foot PD setback along the southern, eastern, and western portion of the property boundary except for the entrance and wetlands.
 - iv. At a minimum, planting equivalent to Type "A" Buffer must be placed within the townhome development area which is adjacent to the internal single-family development.

- v. At a minimum, planting equivalent to Type "C" buffer is required for the amenity and recreational area.
 - vi. If Conditions o.i. through o.iv., regarding the location and type of buffers, creates any perceived ambiguity or confusion, the General PD Concept Plan (Attachment 1) shall control.
- p. The final design of the amenity area shall be determined at Final Detail Site Plan review.
 - q. The Wetland Management Plan (Attachment 2: Wetland Management Plan) shall be implemented to ensure that onsite wetlands identified as "wetland area," on the General PD Concept Plan (Attachment 1) shall be restored and preserved in perpetuity. A minimum of 25-foot buffer along all wetlands is required. Signage shall be required to warn residents of the conservation status of the preserves and such signs shall be identified on the Final Detail Site Plan and placed along the perimeter of the preserves, particularly where the preserves abut development.
 - r. If outdoor lighting is proposed in the amenity area, it must be shielded or directed in such a way that the light does not shine beyond the boundaries of the proposed amenity area. Pole or standing lights may not be taller than 10 feet. No outdoor lighting shall be allowed within 50 feet of the upland buffer of any wetland. Outdoor lighting shall be shielded so that no light shines into the buffer/wetland area.
 - s. The proposed amenity area may contain a clubhouse, with a community pool, a tennis court, or other similar uses, and a parking area. If a clubhouse is constructed, it shall be built to the highest wind-bearing loads required by Charlotte County and will be made available for use as a post-storm hurricane refuge to the proposed neighborhood following a natural disaster. It is understood that the clubhouse will not be able to accommodate all residents of the community.
 - t. Natural gas outdoor lanterns may be incorporated into Project signage to be approved as part of Final Detail Site Plan application approval.
 - u. Regarding the school concurrency issues:
 - i. If the school concurrency process is still required under a valid interlocal agreement, prior to Final Detail Site Plan or Final Plat approval for any residential development for any Phases, the applicant/property owner must obtain a School Concurrency Availability Determination Letter (SCADL) from Charlotte County Public Schools (CCPS) indicating that sufficient capacity exists or has been accounted for through a binding and enforceable agreement with CCPS to address school concurrency.

- ii. If an agreement is required, the terms of such agreement shall be incorporated into the Planned Development Final Detail Site Plan approval and shall not constitute a major modification.

Attachment 1

Firelight South PD Concept Plan

पुस्तकालय संख्या

[illegible]

SITE INFORMATION

PREPARED FOR:
ZEMEL LAND PARTNERS, LLC
5800 LAKEWOOD RANCH BLVD.
SARASOTA, FL 34240
PHONE: (941) 328-1142

WATER:
CHARLOTTE COUNTY UTILITIES

SEWER:
CHARLOTTE COUNTY UTILITIES

ELECTRIC:
FLORIDA POWER AND LIGHT

PHONE:
CENTURYLINK

CABLE:
COMCAST

FIRE PROTECTION:
CHARLOTTE COUNTY FIRE/EMS

SOLID WASTE DISPOSAL:
WASTE MANAGEMENT

3100 LOVELAND BOULEVARD
PORT CHARLOTTE, FL 33960
PHONE: (941) 764-4300

3100 LOVELAND BOULEVARD
PONT CHARLOTTE FL 33980
PHONE: (941) 754-4300

2245 MURPHY CT.
NORTH PORT, FL 34269
PHONE: (800) 373-8490

4195 KINGS HIGHWAY
PORT CHARLOTTE FL 33980
PHONE: (941) 837-5141

22266 EDGEWATER DRIVE
PORT CHARLOTTE, FL 33980
PHONE: (800) 268-2278

26571 AIRPORT RD.
PUNTA CORDA, FL 33952
PHONE: (841) 813-5600

25515 OLD LANDFILL ROAD
PORT CHARLOTTE, FL 33980
PHONE: (941) 628-1105

CIVIL ENGINEER:
BANKS ENGINEERING
TODD R. KENOL, P.E. PROJECT MANAGER

SURVEYOR:
BANKS ENGINEERING
C. DREW BRANCH, P.S.M.

ENVIRONMENTAL:
KIMLEY HORN
IALEC

ARCHITECT:
N/A

LANDSCAPE ARCHITECT:
JOHN T. SWEN, P.A.

4181 TADDAW TRAIL - BLDG 5 UNIT 901
PORT CHARLOTTE, FLORIDA 33952
PHONE: (941) 625-1165

4161 TAMiami TRAIL - BLDG 5 UNIT 501
FORT CHARLOTTE, FLORIDA 33952
PHONE: (941) 625-1185

1777 MAIN STREET SUITE 200
SARASOTA, FL 34236
PHONE (841) 379-7600

P.O. BOX 494468
PORT CHARLOTTE, FL 33949
PHONE: (941) 628-7365

856 NORTH FRANKLIN STREET, SUITE 150
TAMPA, FL 33602
PHONE: (813) 670-1400

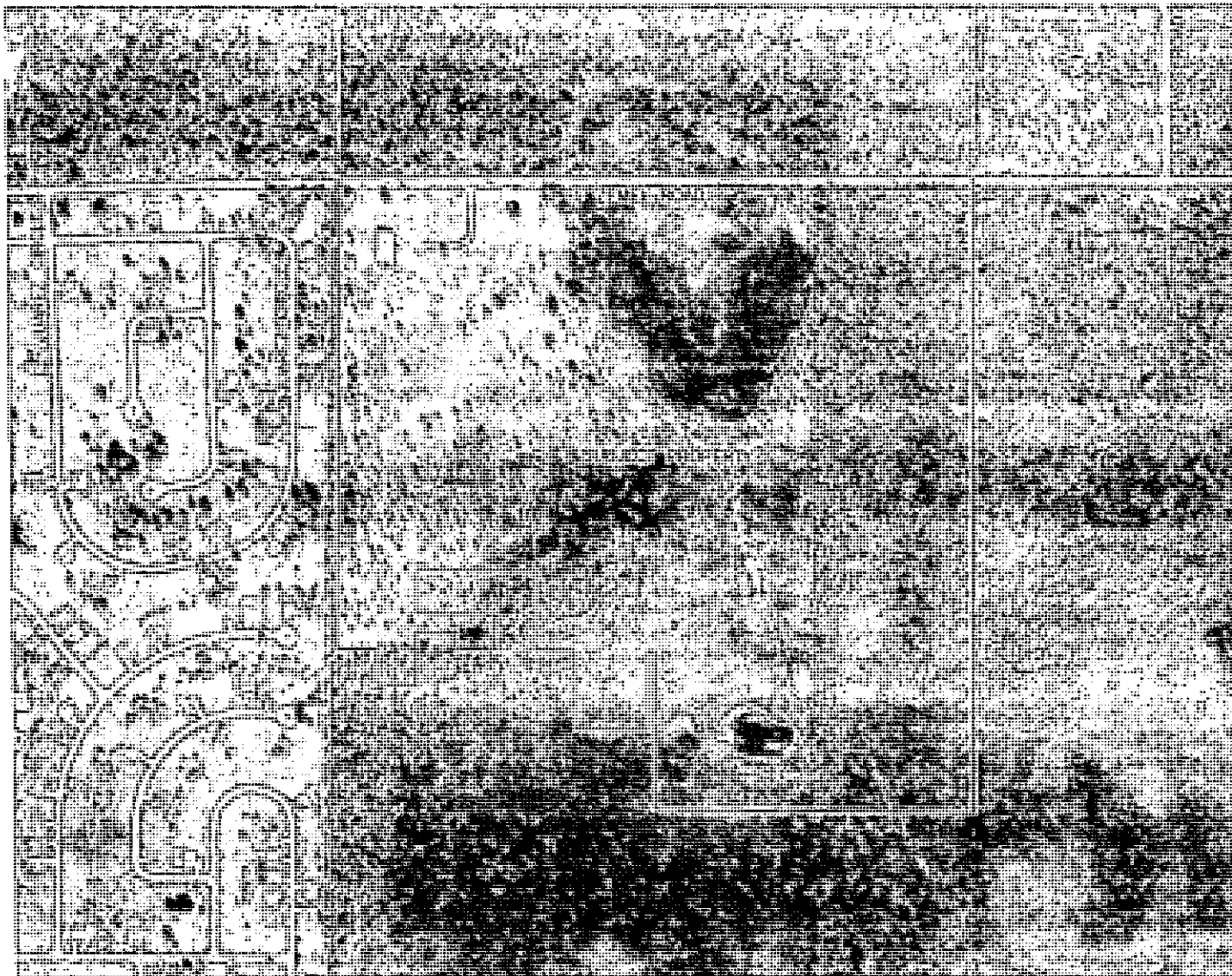
BANKS
ENGINEERING

Professional Engineers, Planners, & Land Surveyors
Serving SouthWest Florida

4161 TAMiami TRAIL - BLDG 5 UNIT 501
PORT CHARLOTTE, FLORIDA 33952
PHONE: (941) 825-1165
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6590
WWW.BANKSENGFLA.COM

TODD R. REBOL, P.E.
"LICENSE NO." 64040

[illegible]



DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
7-92-74	4500	AIR	TRR	TBY	TRR	1"=200'	2

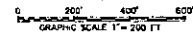


Diagram illustrating a proposed full access point for a vehicle. The diagram shows a cross-section of a vehicle body with a proposed full access point (indicated by a circle) and a proposed optional location (indicated by a circle). The diagram also shows a 25" x 14" panel and a 25" x 14" panel. The diagram is labeled with the following text:

- PROPOSED FULL ACCESS POINT
- PROPOSED OPTIONAL LOCATION MAY VARY BASED ON FINAL TRAFFIC DESIGN
- 25" x 14" PANEL
- 25" x 14" PANEL
- OPTIONAL FULL SIGNAL / TURN SIGNAL CONNECTOR TO ALIGNMENT PLATE

ZONED: RE1

ZONED: RE1

ZONED: PD

II. PROPERTY INFORMATION:
 Current Land and Cash Val. PD, RES / TRACT

PROPERTY AREA (44-384 AG) (1000)

DEVELOPMENT AREA (PD AREA)	144.86 AC	(100.00 %)
WETLAND / WETLAND BUFFLE AREA	58.74 AC	(40.55 %)
P.O.R. AREA	18.07 AC	(12.47 %)
RESIDENTIAL AREA	43.89 AC	(30.30 %)
STORMWATER DRAINAGE AREA	11.83 AC	(8.17 %)
CONNECTING OPEN SPACE AREA	19.37 AC	(13.37 %)
ANALYST'S AREA	0.53 AC	(0.37 %)

THE PARCEL LIES IN FLOOD ZONE "D"

4. *Interventions*

PROPOSED VOLUME LIMIT @ 273 UNITS

PROPOSED MAXIMUM DENSITY: 273 UNITS / 100 ACRES = 1.38 UNITS / ACRE

5.1. PROBABILISTIC LOGIC

RESEARCH 2.8 HAZARDS PER DILLING UNIT

6471-1994

PARKING FOR THE PROJECT HIGHWAY AREA WILL BE DETERMINED AND PROVIDED
ONCE ALL THE LOTS OF 100A, 107A, 107B, 107C, 107D, 107E, 107F, 107G, 107H, 107I, 107J, 107K, 107L, 107M, 107N, 107O, 107P, 107Q, 107R, 107S, 107T, 107U, 107V, 107W, 107X, 107Y, 107Z, 107AA, 107AB, 107AC, 107AD, 107AE, 107AF, 107AG, 107AH, 107AI, 107AJ, 107AK, 107AL, 107AM, 107AN, 107AO, 107AP, 107AQ, 107AR, 107AS, 107AT, 107AU, 107AV, 107AW, 107AX, 107AY, 107AZ, 107BA, 107BB, 107BC, 107BD, 107BE, 107BF, 107BG, 107BH, 107BI, 107BJ, 107BK, 107BL, 107BM, 107BN, 107BO, 107BP, 107BQ, 107BR, 107BS, 107BT, 107BU, 107BV, 107BW, 107BX, 107BY, 107BZ, 107CA, 107CB, 107CC, 107CD, 107CE, 107CF, 107CG, 107CH, 107CI, 107CJ, 107CK, 107CL, 107CM, 107CN, 107CO, 107CP, 107CQ, 107CR, 107CS, 107CT, 107CU, 107CV, 107CW, 107CX, 107CY, 107CZ, 107DA, 107DB, 107DC, 107DD, 107DE, 107DF, 107DG, 107DH, 107DI, 107DJ, 107DK, 107DL, 107DM, 107DN, 107DO, 107DP, 107DQ, 107DR, 107DS, 107DT, 107DU, 107DV, 107DW, 107DX, 107DY, 107DZ, 107EA, 107EB, 107EC, 107ED, 107EE, 107EF, 107EG, 107EH, 107EI, 107EJ, 107EK, 107EL, 107EM, 107EN, 107EO, 107EP, 107EQ, 107ER, 107ES, 107ET, 107EU, 107EV, 107EW, 107EX, 107EY, 107EZ, 107FA, 107FB, 107FC, 107FD, 107FE, 107FF, 107FG, 107FH, 107FI, 107FJ, 107FK, 107FL, 107FM, 107FN, 107FO, 107FP, 107FQ, 107FR, 107FS, 107FT, 107FU, 107FV, 107FW, 107FX, 107FY, 107FZ, 107GA, 107GB, 107GC, 107GD, 107GE, 107GF, 107GG, 107GH, 107GI, 107GJ, 107GK, 107GL, 107GM, 107GN, 107GO, 107GP, 107GQ, 107GR, 107GS, 107GT, 107GU, 107GV, 107GW, 107GX, 107GY, 107GZ, 107HA, 107HB, 107HC, 107HD, 107HE, 107HF, 107HG, 107HH, 107HI, 107HJ, 107HK, 107HL, 107HM, 107HN, 107HO, 107HP, 107HQ, 107HR, 107HS, 107HT, 107HU, 107HV, 107HW, 107HX, 107HY, 107HZ, 107IA, 107IB, 107IC, 107ID, 107IE, 107IF, 107IG, 107IH, 107II, 107IJ, 107IK, 107IL, 107IM, 107IN, 107IO, 107IP, 107IQ, 107IR, 107IS, 107IT, 107IU, 107IV, 107IW, 107IX, 107IY, 107IZ, 107JA, 107JB, 107JC, 107JD, 107JE, 107JF, 107JG, 107JH, 107JI, 107JJ, 107JK, 107JL, 107JM, 107JN, 107JO, 107JP, 107JQ, 107JR, 107JS, 107JT, 107JU, 107JV, 107JW, 107JX, 107JY, 107JZ, 107KA, 107KB, 107KC, 107KD, 107KE, 107KF, 107KG, 107KH, 107KI, 107KJ, 107KK, 107KL, 107KM, 107KN, 107KO, 107KP, 107KQ, 107KR, 107KS, 107KT, 107KU, 107KV, 107KW, 107KX, 107KY, 107KZ, 107LA, 107LB, 107LC, 107LD, 107LE, 107LF, 107LG, 107LH, 107LI, 107LJ, 107LK, 107LL, 107LM, 107LN, 107LO, 107LP, 107LQ, 107LR, 107LS, 107LT, 107LU, 107LV, 107LW, 107LX, 107LY, 107LZ, 107MA, 107MB, 107MC, 107MD, 107ME, 107MF, 107MG, 107MH, 107MI, 107MJ, 107MK, 107ML, 107MM, 107MN, 107MO, 107MP, 107MQ, 107MR, 107MS, 107MT, 107MU, 107MV, 107MW, 107MX, 107MY, 107MZ, 107NA, 107NB, 107NC, 107ND, 107NE, 107NF, 107NG, 107NH, 107NI, 107NJ, 107NK, 107NL, 107NM, 107NN, 107NO, 107NP, 107NQ, 107NR, 107NS, 107NT, 107NU, 107NV, 107NW, 107NX, 107NY, 107NZ, 107OA, 107OB, 107OC, 107OD, 107OE, 107OF, 107OG, 107OH, 107OI, 107OJ, 107OK, 107OL, 107OM, 107ON, 107OO, 107OP, 107OQ, 107OR, 107OS, 107OT, 107OU, 107OV, 107OW, 107OX, 107OY, 107OZ, 107PA, 107PB, 107PC, 107PD, 107PE, 107PF, 107PG, 107PH, 107PI, 107PJ, 107PK, 107PL, 107PM, 107PN, 107PO, 107PP, 107PQ, 107PR, 107PS, 107PT, 107PU, 107PV, 107PW, 107PX, 107PY, 107PZ, 107QA, 107QB, 107QC, 107QD, 107QE, 107QF, 107QG, 107QH, 107QI, 107QJ, 107QK, 107QL, 107QM, 107QN, 107QO, 107QP, 107QQ, 107QR, 107QS, 107QT, 107QU, 107QV, 107QW, 107QX, 107QY, 107QZ, 107RA, 107RB, 107RC, 107RD, 107RE, 107RF, 107RG, 107RH, 107RI, 107RJ, 107RK, 107RL, 107RM, 107RN, 107RO, 107RP, 107RQ, 107RR, 107RS, 107RT, 107RU, 107RV, 107RW, 107RX, 107RY, 107RZ, 107SA, 107SB, 107SC, 107SD, 107SE, 107SF, 107SG, 107SH, 107SI, 107SJ, 107SK, 107SL, 107SM, 107SN, 107SO, 107SP, 107SQ, 107SR, 107SS, 107ST, 107SU, 107SV, 107SW, 107SX, 107SY, 107SZ, 107TA, 107TB, 107TC, 107TD, 107TE, 107TF, 107TG, 107TH, 107TI, 107TJ, 107TK, 107TL, 107TM, 107TN, 107TO, 107TP, 107TQ, 107TR, 107TS, 107TT, 107TU, 107TV, 107TW, 107TX, 107TY, 107TZ, 107UA, 107UB, 107UC, 107UD, 107UE, 107UF, 107UG, 107UH, 107UI, 107UJ, 107UK, 107UL, 107UM, 107UN, 107UO, 107UP, 107UQ, 107UR, 107US, 107UT, 107UU, 107UV, 107UW, 107UX, 107UY, 107UZ, 107VA, 107VB, 107VC, 107VD, 107VE, 107VF, 107VG, 107VH, 107VI, 107VJ, 107VK, 107VL, 107VM, 107VN, 107VO, 107VP, 107VQ, 107VR, 107VS, 107VT, 107VU, 107VV, 107VW, 107VX, 107VY, 107VZ, 107WA, 107WB, 107WC, 107WD, 107WE, 107WF, 107WG, 107WH, 107WI, 107WJ, 107WK, 107WL, 107WM, 107WN, 107WO, 107WP, 107WQ, 107WR, 107WS, 107WT, 107WU, 107WV, 107WW, 107WX, 107WY, 107WZ, 107XA, 107XB, 107XC, 107XD, 107XE, 107XF, 107XG, 107XH, 107XI, 107XJ, 107XK, 107XL, 107XM, 107XN, 107XO, 107XP, 107XQ, 107XR, 107XS, 107XT, 107XU, 107XV, 107XW, 107XX, 107XY, 107XZ, 107YA, 107YB, 107YC, 107YD, 107YE, 107YF, 107YG, 107YH, 107YI, 107YJ, 107YK, 1

CHRYSLER CREDIT CORP. 144 N. 40TH W. YORK - OH 44130

OPEN SPACE PROXIMITY = WETLAND + WETLAND BUFFER AREA +

COMMON OPEN SPACE AFTER

$$= (73.15 \text{ kg} / 144.04 \text{ kg}) \approx 0.51$$

7. OPEN HABITAT SPACE

PROJNO: 98140 98140 98140 BUTTER AREA

$$= 86.7\% \text{ AC} / 144.64 \text{ AC} = 59.28\%$$

1. ALL TRADES UNITS SHOWN ARE ESTIMATES & MAY BE CHANGED DUE TO

2. MARKET CONDITIONS, DESIGN CONSTRAINTS OR PERMITTING REQUIREMENTS AT THE PROJECT LOCATION MAY REQUIRE MODIFICATION OF THE PROPOSED PROJECT.
3. A LARGE LANDSCAPE BUFFER IS REQUIRED FOR DEVELOPER TO WORK WITH COUNTY STAFF TO OBTAINING OF LACING WELLS IN WETLANDS WERE NECESSARY TO OBTAIN PERMITS FOR THE PROJECT. THE BUFFER WILL BE REQUIRED TO MEET COUNTY LANDSCAPE BUFFER MINIMUM REQUIREMENTS.
4. ALL ON-SITE LAKES WILL BE A PART OF THE STORM WATER MANAGEMENT SYSTEM.
5. PROPOSED PROJECT SHALL BE SERVED BY CENTRAL WATER & SEWER.
6. ALL INTERNAL STREETS ARE PROPOSED TO BE PRIVATE.
7. THERE SHOULD FIRST DETACHED & SINGLE FAMILY ATTACHED WELLS ARE PROPOSED ON OR NEAR THE PROJECT, TO BE IN ACCORDANCE WITH THE PROPOSED DEVELOPMENT STANDARDS.
8. SIDEWALKS WILL NOT BE PROVIDED ON PAVES ROAD TO HENTCHES.
9. PARKING PAVERING IS PROPOSED WITHIN REG. TO SERVE COMMUNITY

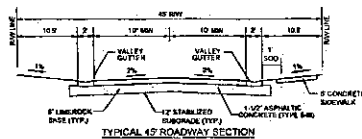
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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DESCRIPTION	NO. OF DAYS REQUIRED	NO. OF MAN HOURS REQUIRED	MANPOWER
NO. OF DAYS REQUIRED	1 / UNIT	3 / UNIT	2 / UNIT
MAN (1st) ASSEMBLY (4.17)	4,000	3,000	2,000
MAN (2nd) ASSEMBLY (4.18)	60	70	70
MAN (3rd) ASSEMBLY (4.19)	40	30	20
MAN (4th) ASSEMBLY (4.20)	20	20	20
MAN (5th) ASSEMBLY (4.21)	5	5/0/0	5/0/0
MAN (6th) ASSEMBLY (4.22)	10	10	10
MAN (7th) ASSEMBLY (4.23)	30	30	30
MAN (8th) ASSEMBLY (4.24)	10	10	10
MAN (9th) ASSEMBLY (4.25)	15	15	15
MAN (10th) ASSEMBLY (4.26)	15	15	15
MAN (11th) ASSEMBLY (4.27)	5	5	5
MAN (12th) ASSEMBLY (4.28)	10	10	10
MAN (13th) ASSEMBLY (4.29)	10	10	10
MAN (14th) ASSEMBLY (4.30)	10	10	10
MAN (15th) ASSEMBLY (4.31)	10	10	10
MAN (16th) ASSEMBLY (4.32)	10	10	10
MAN (17th) ASSEMBLY (4.33)	10	10	10
MAN (18th) ASSEMBLY (4.34)	10	10	10
MAN (19th) ASSEMBLY (4.35)	10	10	10
MAN (20th) ASSEMBLY (4.36)	10	10	10
MAN (21st) ASSEMBLY (4.37)	10	10	10
MAN (22nd) ASSEMBLY (4.38)	10	10	10
MAN (23rd) ASSEMBLY (4.39)	10	10	10
MAN (24th) ASSEMBLY (4.40)	10	10	10
MAN (25th) ASSEMBLY (4.41)	10	10	10
MAN (26th) ASSEMBLY (4.42)	10	10	10
MAN (27th) ASSEMBLY (4.43)	10	10	10
MAN (28th) ASSEMBLY (4.44)	10	10	10
MAN (29th) ASSEMBLY (4.45)	10	10	10
MAN (30th) ASSEMBLY (4.46)	10	10	10
MAN (31st) ASSEMBLY (4.47)	10	10	10
MAN (32nd) ASSEMBLY (4.48)	10	10	10
MAN (33rd) ASSEMBLY (4.49)	10	10	10
MAN (34th) ASSEMBLY (4.50)	10	10	10
MAN (35th) ASSEMBLY (4.51)	10	10	10
MAN (36th) ASSEMBLY (4.52)	10	10	10
MAN (37th) ASSEMBLY (4.53)	10	10	10
MAN (38th) ASSEMBLY (4.54)	10	10	10
MAN (39th) ASSEMBLY (4.55)	10	10	10
MAN (40th) ASSEMBLY (4.56)	10	10	10
MAN (41st) ASSEMBLY (4.57)	10	10	10
MAN (42nd) ASSEMBLY (4.58)	10	10	10
MAN (43rd) ASSEMBLY (4.59)	10	10	10
MAN (44th) ASSEMBLY (4.60)	10	10	10
MAN (45th) ASSEMBLY (4.61)	10	10	10
MAN (46th) ASSEMBLY (4.62)	10	10	10
MAN (47th) ASSEMBLY (4.63)	10	10	10
MAN (48th) ASSEMBLY (4.64)	10	10	10
MAN (49th) ASSEMBLY (4.65)	10	10	10
MAN (50th) ASSEMBLY (4.66)	10	10	10
MAN (51st) ASSEMBLY (4.67)	10	10	10
MAN (52nd) ASSEMBLY (4.68)	10	10	10
MAN (53rd) ASSEMBLY (4.69)	10	10	10
MAN (54th) ASSEMBLY (4.70)	10	10	10
MAN (55th) ASSEMBLY (4.71)	10	10	10
MAN (56th) ASSEMBLY (4.72)	10	10	10
MAN (57th) ASSEMBLY (4.73)	10	10	10
MAN (58th) ASSEMBLY (4.74)	10	10	10
MAN (59th) ASSEMBLY (4.75)	10	10	10
MAN (60th) ASSEMBLY (4.76)	10	10	10
MAN (61st) ASSEMBLY (4.77)	10	10	10
MAN (62nd) ASSEMBLY (4.78)	10	10	10
MAN (63rd) ASSEMBLY (4.79)	10	10	10
MAN (64th) ASSEMBLY (4.80)	10	10	10
MAN (65th) ASSEMBLY (4.81)	10	10	10
MAN (66th) ASSEMBLY (4.82)	10	10	10
MAN (67th) ASSEMBLY (4.83)	10	10	10
MAN (68th) ASSEMBLY (4.84)	10	10	10
MAN (69th) ASSEMBLY (4.85)	10	10	10
MAN (70th) ASSEMBLY (4.86)	10	10	10
MAN (71st) ASSEMBLY (4.87)	10	10	10
MAN (72nd) ASSEMBLY (4.88)	10	10	10
MAN (73rd) ASSEMBLY (4.89)	10	10	10
MAN (74th) ASSEMBLY (4.90)	10	10	10
MAN (75th) ASSEMBLY (4.91)	10	10	10
MAN (76th) ASSEMBLY (4.92)	10	10	10
MAN (77th) ASSEMBLY (4.93)	10	10	10
MAN (78th) ASSEMBLY (4.94)	10	10	10
MAN (79th) ASSEMBLY (4.95)	10	10	10
MAN (80th) ASSEMBLY (4.96)	10	10	10
MAN (81st) ASSEMBLY (4.97)	10	10	10
MAN (82nd) ASSEMBLY (4.98)	10	10	10
MAN (83rd) ASSEMBLY (4.99)	10	10	10
MAN (84th) ASSEMBLY (5.00)	10	10	10
MAN (85th) ASSEMBLY (5.01)	10	10	10
MAN (86th) ASSEMBLY (5.02)	10	10	10
MAN (87th) ASSEMBLY (5.03)	10	10	10
MAN (88th) ASSEMBLY (5.04)	10	10	10
MAN (89th) ASSEMBLY (5.05)	10	10	10
MAN (90th) ASSEMBLY (5.06)	10	10	10
MAN (91st) ASSEMBLY (5.07)	10	10	10
MAN (92nd) ASSEMBLY (5.08)	10	10	10
MAN (93rd) ASSEMBLY (5.09)	10	10	10
MAN (94th) ASSEMBLY (5.10)	10	10	10
MAN (95th) ASSEMBLY (5.11)	10	10	10
MAN (96th) ASSEMBLY (5.12)	10	10	10
MAN (97th) ASSEMBLY (5.13)	10	10	10
MAN (98th) ASSEMBLY (5.14)	10	10	10
MAN (99th) ASSEMBLY (5.15)	10	10	10
MAN (100th) ASSEMBLY (5.16)	10	10	10
MAN (101st) ASSEMBLY (5.17)	10	10	10
MAN (102nd) ASSEMBLY (5.18)	10	10	10
MAN (103rd) ASSEMBLY (5.19)	10	10	10
MAN (104th) ASSEMBLY (5.20)	10	10	10
MAN (105th) ASSEMBLY (5.21)	10	10	10
MAN (106th) ASSEMBLY (5.22)	10	10	10
MAN (107th) ASSEMBLY (5.23)	10	10	10
MAN (108th) ASSEMBLY (5.24)	10	10	10
MAN (109th) ASSEMBLY (5.25)	10	10	10
MAN (110th) ASSEMBLY (5.26)	10	10	10
MAN (111th) ASSEMBLY (5.27)	10	10	10
MAN (112th) ASSEMBLY (5.28)	10	10	10
MAN (113th) ASSEMBLY (5.29)	10	10	10
MAN (114th) ASSEMBLY (5.30)	10	10	10
MAN (115th) ASSEMBLY (5.31)	10	10	10
MAN (116th) ASSEMBLY (5.32)	10	10	10
MAN (117th) ASSEMBLY (5.33)	10	10	10
MAN (118th) ASSEMBLY (5.34)	10	10	10
MAN (119th) ASSEMBLY (5.35)	10	10	10
MAN (120th) ASSEMBLY (5.36)	10	10	10
MAN (121st) ASSEMBLY (5.37)	10	10	10
MAN (122nd) ASSEMBLY (5.38)	10	10	10
MAN (123rd) ASSEMBLY (5.39)	10	10	10
MAN (124th) ASSEMBLY (5.40)	10	10	10
MAN (125th) ASSEMBLY (5.41)	10	10	10
MAN (126th) ASSEMBLY (5.42)	10	10	10
MAN (127th) ASSEMBLY (5.43)	10	10	10
MAN (128th) ASSEMBLY (5.44)	10	10	10
MAN (129th) ASSEMBLY (5.45)	10	10	10
MAN (130th) ASSEMBLY (5.46)	10	10	10
MAN (131st) ASSEMBLY (5.47)	10	10	10
MAN (132nd) ASSEMBLY (5.48)	10	10	10
MAN (133rd) ASSEMBLY (5.49)	10	10	10
MAN (134th) ASSEMBLY (5.50)	10	10	10
MAN (135th) ASSEMBLY (5.51)	10	10	10
MAN (136th) ASSEMBLY (5.52)	10	10	10
MAN (137th) ASSEMBLY (5.53)	10	10	10
MAN (138th) ASSEMBLY (5.54)	10	10	10
MAN (139th) ASSEMBLY (5.55)	10	10	10
MAN (140th) ASSEMBLY (5.56)	10	10	10
MAN (141st) ASSEMBLY (5.57)	10	10	10
MAN (142nd) ASSEMBLY (5.58)	10	10	10
MAN (143rd) ASSEMBLY (5.59)	10	10	10
MAN (144th) ASSEMBLY (5.60)	10	10	10
MAN (145th) ASSEMBLY (5.61)	10	10	10
MAN (146th) ASSEMBLY (5.62)	10	10	10
MAN (147th) ASSEMBLY (5.63)	10	10	10
MAN (148th) ASSEMBLY (5.64)	10	10	10
MAN (149th) ASSEMBLY (5.65)	10	10	10
MAN (150th) ASSEMBLY (5.66)	10	10	10
MAN (151st) ASSEMBLY (5.67)	10	10	10
MAN (152nd) ASSEMBLY (5.68)	10	10	10
MAN (153rd) ASSEMBLY (5.69)	10	10	10
MAN (154th) ASSEMBLY (5.70)	10	10	10
MAN (155th) ASSEMBLY (5.71)	10	10	10
MAN (156th) ASSEMBLY (5.72)	10	10	10
MAN (157th) ASSEMBLY (5.73)	10	10	10
MAN (158th) ASSEMBLY (5.74)	10	10	10
MAN (159th) ASSEMBLY (5.75)	10	10	10
MAN (160th) ASSEMBLY (5.76)	10	10	10
MAN (161st) ASSEMBLY (5.77)	10	10	10
MAN (162nd) ASSEMBLY (5.78)	10	10	10
MAN (163rd) ASSEMBLY (5.79)	10	10	10
MAN (164th) ASSEMBLY (5.80)	10	10	10
MAN (165th) ASSEMBLY (5.81)	10	10	10
MAN (166th) ASSEMBLY (5.82)	10	10	10
MAN (167th) ASSEMBLY (5.83)	10	10	10
MAN (168th) ASSEMBLY (5.84)	10	10	10
MAN (169th) ASSEMBLY (5.85)	10	10	10
MAN (170th) ASSEMBLY (5.86)	10	10	10
MAN (171st) ASSEMBLY (5.87)	10	10	10
MAN (172nd) ASSEMBLY (5.88)	10	10	10
MAN (173rd) ASSEMBLY (5.89)	10	10	10
MAN (174th) ASSEMBLY (5.90)	10	10	10
MAN (175th) ASSEMBLY (5.91)	10	10	10
MAN (176th) ASSEMBLY (5.92)	10	10	10
MAN (177th) ASSEMBLY (5.93)	10	10	10
MAN (178th) ASSEMBLY (5.94)	10	10	10
MAN (179th) ASSEMBLY (5.95)	10	10	10
MAN (180th) ASSEMBLY (5.96)	10	10	10
MAN (181st) ASSEMBLY (5.97)	10	10	10
MAN (182nd) ASSEMBLY (5.98)	10	10	10
MAN (183rd) ASSEMBLY (5.99)	10	10	10
MAN (184th) ASSEMBLY (6.00)	10	10	10
MAN (185th) ASSEMBLY (6.01)	10	10	10
MAN (186th) ASSEMBLY (6.02)	10	10	10
MAN (187th) ASSEMBLY (6.03)	10	10	10
MAN (188th) ASSEMBLY (6.04)	10	10	10
MAN (189th) ASSEMBLY (6.05)	10	10	10
MAN (190th) ASSEMBLY (6.06)	10	10	10
MAN (191st) ASSEMBLY (6.07)	10	10	10
MAN (192nd) ASSEMBLY (6.08)	10	10	10
MAN (193rd) ASSEMBLY (6.09)	10	10	10
MAN (194th) ASSEMBLY (6.10)	10	10	10
MAN (195th) ASSEMBLY (6.11)	10	10	10
MAN (196th) ASSEMBLY (6.12)	10	10	10
MAN (197th) ASSEMBLY (6.13)	10	10	10
MAN (198th) ASSEMBLY (6.14)	10	10	10
MAN (199th) ASSEMBLY (6.15)	10	10	10
MAN (200th) ASSEMBLY (6.16)	10	10	10
MAN (201st) ASSEMBLY (6.17)	10	10	10
MAN (202nd) ASSEMBLY (6.18)	10	10	10
MAN (203rd) ASSEMBLY (6.19)	10	10	10
MAN (204th) ASSEMBLY (6.20)	10	10	10
MAN (205th) ASSEMBLY (6.21)	10	10	10
MAN (206th) ASSEMBLY (6.22)	10	10	10
MAN (207th) ASSEMBLY (6.23)	10	10	10
MAN (208th) ASSEMBLY (6.24)	10	10	10
MAN (209th) ASSEMBLY (6.25)	10	10	10
MAN (210th) ASSEMBLY (6.26)	10	10	10
MAN (211st) ASSEMBLY (6.27)	10	10	10
MAN (212th) ASSEMBLY (6.28)	10	10	10
MAN (213th) ASSEMBLY (6.29)	10	10	10
MAN (214th) ASSEMBLY (6.30)	10	10	10
MAN (215th) ASSEMBLY (6.31)	10	10	10
MAN (216th) ASSEMBLY (6.32)	10	10	10
MAN (217th) ASSEMBLY (6.33)	10	10	10
MAN (218th) ASSEMBLY (6.34)	10	10	10
MAN (219th) ASSEMBLY (6.35)	10	10	10
MAN (220th) ASSEMBLY (6.36)	10	10	10
MAN (221st) ASSEMBLY (6.37)	10	10	10
MAN (222nd) ASSEMBLY (6.38)	10	10	10
MAN (223rd) ASSEMBLY (6.39)	10	10	10
MAN (224th) ASSEMBLY (6.40)	10	10	10
MAN (225th) ASSEMBLY (6.41)	10	10	10
MAN (226th) ASSEMBLY (6.42)	10	10	10
MAN (227th) ASSEMBLY (6.43)	10	10	10
MAN (228th) ASSEMBLY (6.44)	10	10	10
MAN (229th) ASSEMBLY (6.45)	10	10	10
MAN (230th) ASSEMBLY (6.46)	10	10	10
MAN (231st) ASSEMBLY (6.47)	10	10	10
MAN (232nd) ASSEMBLY (6.48)	10	10	10
MAN (233rd) ASSEMBLY (6.49)	10	10	10
MAN (234th) ASSEMBLY (6.50)	10	10	10
MAN (235th) ASSEMBLY (6.51)	10	10	10
MAN (236th) ASSEMBLY (6.52)	10	10	10
MAN (237th) ASSEMBLY (6.53)	10	10	10
MAN (238th) ASSEMBLY (6.54)	10	10	10
MAN (239th) ASSEMBLY (6.55)	10	10	10
MAN (240th) ASSEMBLY (6.56)	10	10	10
MAN (241st) ASSEMBLY (6.57)	10	10	10
MAN (242nd) ASSEMBLY (6.58)	10	10	10
MAN (243rd) ASSEMBLY (6.59)	10	10	10
MAN (244th) ASSEMBLY (6.60)	10	10	10
MAN (245th) ASSEMBLY (6.61)	10	10	10
MAN (246th) ASSEMBLY (6.62)	10	10	10
MAN (247th) ASSEMBLY (6.63)	10	10	10
MAN (248th) ASSEMBLY (6.64)	10	10	10
MAN (249th) ASSEMBLY (6.65)	10	10	10
MAN (250th) ASSEMBLY (6.66)	10	10	10
MAN (251st) ASSEMBLY (6.67)	10	10	10
MAN (252nd) ASSEMBLY (6.68)	10	10	10
MAN (253rd) ASSEMBLY (6.69)	10	10	10
MAN (254th) ASSEMBLY (6.70)	10	10	10
MAN (255th) ASSEMBLY (6.71)	10	10	10
MAN (256th) ASSEMBLY (6.72)	10	10	10
MAN (257th) ASSEMBLY (6.73)	10	10	10
MAN (258th) ASSEMBLY (6.74)	10	10	10
MAN (259th) ASSEMBLY (6.75)	10	10	10
MAN (260th) ASSEMBLY (6.76)	10	10	10
MAN (261st) ASSEMBLY (6.77)	10	10	10
MAN (262nd) ASSEMBLY (6.78)	10	10	10
MAN (263rd) ASSEMBLY (6.79)	10	10	10
MAN (264th) ASSEMBLY (6.80)	10	10	10
MAN (265th) ASSEMBLY (6.81)	10	10	10
MAN (266th) ASSEMBLY (6.82)	10	10	10
MAN (267th) ASSEMBLY (6.83)	10	10	10
MAN (268th) ASSEMBLY (6.84)	10	10	10
MAN (269th) ASSEMBLY (6.85)	10	10	10
MAN (270th) ASSEMBLY (6.86)	10	10	10
MAN (271st) ASSEMBLY (6.87)	10	10	10
MAN (272nd) ASSEMBLY (6.88)	10	10	10
MAN (273rd) ASSEMBLY (6.89)	10	10	10
MAN (274th) ASSEMBLY (6.90)	10	10	10
MAN (275th) ASSEMBLY (6.91)	10	10	10
MAN (276th) ASSEMBLY (6.92)	10</		

REF. PROPOSED IF SEX SURVIVOR ON BATHING SURF.
PROPOSED SURVIVOR IS FROM MASSACHUSETTS WITH LINE OF LANE.

LEGEND

- 1. RESIDENTIAL AREA
- 2. AVENITY AREA
- 3. WETLAND AREA
- 4. LAKE AREA
- 5. 15' MIN. 20' AVERAGE WETLAND BUFFER AREA
- 6. PROPOSED WETLAND IMPACT AREA
- 7. PROPOSED TYPE "B" BUFFER
- 8. PROPOSED 6' PERIMETER LANDSCAPE STRIP



PREPARED FOR

ZEMELAND PARTNERS, LLC

5800 LAKEWOOD RANCH BLVD.
SARASOTA, FL 34240
PHONE: (941) 328-8142

[illegible]

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4181 TAMMAM ROAD - BLDG 3 Gnd F BOX
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PHONE: (841) 625-1183

ENGINEERING LICENSE # CB 5440
SURVEY LICENSE # LB 8440


WWW.BURNS&MCDONALD.COM

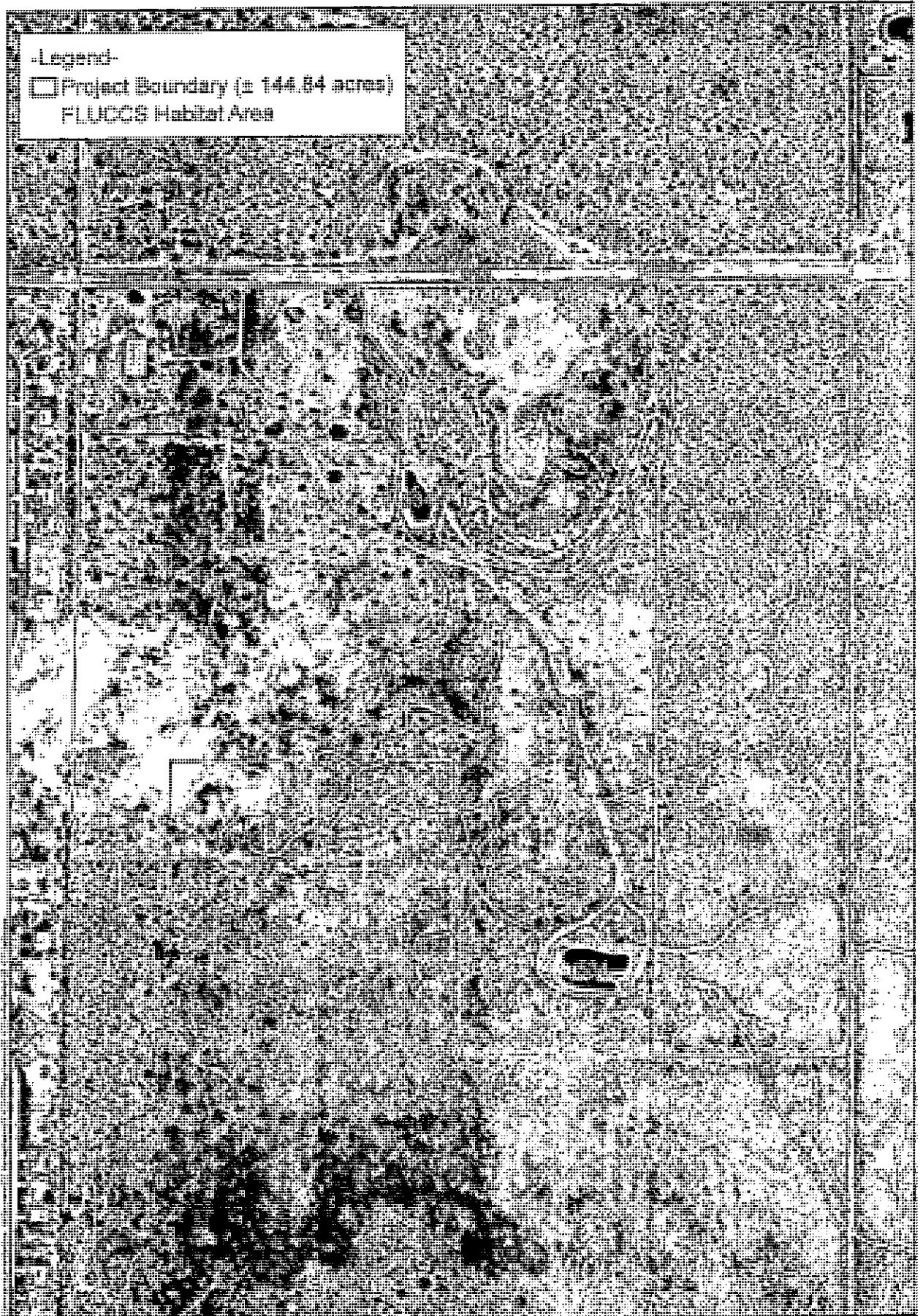
1000 R. REIBOL, P.E.
LICENSE NO. 84040

PD CONCEPT PLAN
FIRELIGHT SOUTH
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
7-22-24	4688	_P3	TRR	YBY	TRR	1"=200'	3

Legend-

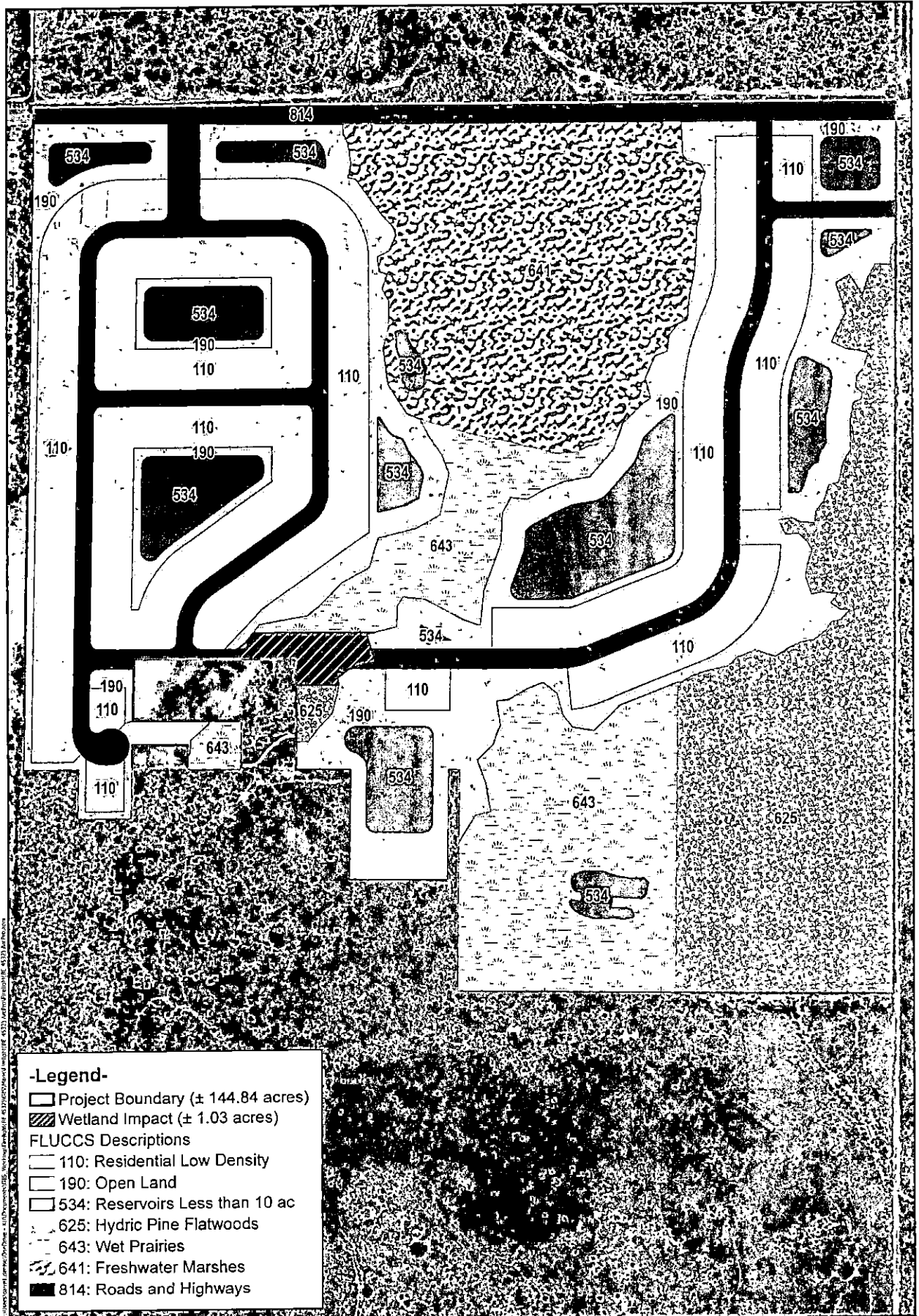
-  Project Boundary (± 144.64 acres)
FLUCCS Habitat Area



Kimley-Horn

10-2004 Norcross, North Carolina
2004-2005 10-2005, Charlotte, NC 28203
www.kimley-horn.com

Client: Norcross Construction Inc.
Project: Final Flight South
Location: Charlotte County
SHP: 428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-1226-1227-1228-1229-1230-1231-1232-1233-1234-1235-1236-1237-1238-1239-1240-1241-1242-1243-1244-1245-1246-1247-1248-1249-1250-1251-1252-1253-1254-1255-1256-1257-1258-1259-1260-1261-1262-1263-1264-1265-1266-1267-1268-1269-1270-1271-1272-1273-1274-1275-1276-1277-1278-1279-1280-1281-1282-1283-1284-1285-1286-1287-1288-1289-1290-1291-1292-1293-1294-1295-1296-1297-1298-1299-1300-1301-1302-1303-1304-1305-1306-1307-1308-1309-1310-1311-1312-1313-1314-1315-1316-1317-1318-1319-1320-1321-1322-1323-1324-1325-1326-1327-1328-1329-1330-1331-1332-1333-1334-1335-1336-1337-1338-1339-1340-1341-1342-1343-1344-1345-1346-1347-1348-1349-1350-1351-1352-1353-1354-1355-1356-1357-1358-1359-1360-1361-1362-1363-1364-1365-1366-1367-1368-1369-1370-1371-1372-1373-1374-1375-1376-1377-1378-1379-1380-1381-1382-1383-1384-1385-1386-1387-1388-1389-1390-1391-1392-1393-1394-1395-1396-1397-1398-1399-1400-1401-1402-1403-1404-1405-1406-1407-1408-1409-1410-1411-1412-1413-1414-1415-1416-1417-1418-1419-1420-1421-1422-1423-1424-1425-1426-1427-1428-1429-1430-1431-1432-1433-1434-1435-1436-1437-1438-1439-1440-1441-1442-1443-1444-1445-1446-1447-1448-1449-1450-1451-1452-1453-1454-1455-1456-1457-1458-1459-1460-1461-1462-1463-1464-1465-1466-1467-1468-1469-1470-1471-1472-1473-1474-1475-1476-1477-1478-1479-1480-1481-1482-1483-1484-1485-1486-1487-1488-1489-1490-1491-1492-1493-1494-1495-1496-1497-1498-1499-1500-1501-1502-1503-1504-1505-1506-1507-1508-1509-1510-1511-1512-1513-1514-1515-1516-1517-1518-1519-1520-1521-1522-1523-1524-1525-1526-1527-1528-1529-1530-1531-1532-1533-1534-1535-1536-1537-1538-1539-1540-1541-15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Client: Neal Communities Inc.
Project: Firelight South
Location: Charlotte County
STR:Sec: 28Twp: 42S Rng: 23E
Title: Post FLUCCS Map
Source: Nearmap WMS 2024

Drawn By: GD
Date: 8/1/2024

SCALE 1" = 300'

0 300 600 Feet



Attachment 2

Wetland Management Plan

Wetland Management Plan

Firelight South

August 2024

Introduction

The Firelight South project area is approximately 144.84 acres in size and is located south of Zemel Road in Section 20, Township 24S, and Range 23E, Charlotte County. The project area in its current state is comprised of improved pasture, pine flatwoods, hydric-excavated surface water ponds, freshwater marsh, wet prairie, and hydric pine flatwoods. Preservation areas within the project are limited to a wetland and buffers areas throughout the property.

I. Baseline Environmental Assessment

The wetland and upland habitats identified on this parcel are categorized using nomenclature found in the most recent edition of the Florida Department of Transportation's Florida Land Use Cover and Forms Classification System (FLUCCS) as depicted on the attached FLUCCS habitat maps.

II. Prohibited and Permissible Activities

Filling, dumping, construction of buildings, roads, billboards or other advertising, excavating, alternation, trimming, or removal of native vegetation within the preservation area will be prohibited except for restoration activities consistent with natural areas conservation management, the removal of dead trees and shrubs or leaning trees that could cause property damage, and activities conducted in accordance with a prescribed burn plan developed with the Florida Forest Service. For areas where the preserve abuts development, signage will be installed in the preserve stating no dumping, filling, etc.

III. Wildlife Protection

Any maintenance occurring in preservation area will be conducted with consideration of listed species or wildlife utilization. Such protective measures may include pre-management censuses to identify the location of any listed species and their nests and/or burrows to avoid impacting them. If a listed species is observed nesting and/or denning during maintenance activities, the maintenance activities in that area will cease until the species in question vacates the area or an appropriate environmental professional or regulatory agency is contacted to provide additional guidance.

IV. Native Habitat Preservation and Management

A maintenance plan shall be implemented to ensure that the preserve area remain relatively free (<5% aerial coverage) of exotic and nuisance vegetation species and maintain a minimum 80% aerial coverage of desirable native vegetation 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.

V. Fortuitous Finds Policy

Land management activities will adhere to federal, state and local regulations regarding any historic resources found on site.

If evidence of the existence of historic resources is discovered or observed at development sites or during development activities after final approval, all work shall cease in the area of effect as determined by the Historical Advisory Committee. The developer, owner, contractor, or agent thereof shall notify the Historical Advisory immediately after finding any artifact of historical significance.

Examples of such evidence include human remains, whole or fragmentary stone tools, shell tools, aboriginal or historic pottery, historic glass, historic bottles, bone tools, historic building foundations, shell mounds, shell middens, or sand mounds. The Director shall assess the significance of the finds within three working days of notification and suggest methods to mitigate any adverse effects so as to minimize delays in development activities.

If any human skeletal remains or associated burial artifacts are discovered at development sites or during development activity, all work in the area must cease, and the permittee must notify the nearest law enforcement office immediately and notify the Historical Committee.

VI. 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 5 years. If, at the end of five years, the preservation areas have met or exceeded the success criteria described above, monitoring requirement for the preservation area 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 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 area shall be at the sole expense of the property owners or developer.

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

- Qualitative overview of vegetation 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 of future remediation

Monitoring reports will be provided to the County within 45 days of the monitoring inspection events, unless an extension by Charlotte County is granted.

If you have any questions, or if we can provide any additional information, please do not hesitate to contact me at 941-404-1639.

Sincerely,



Chris Kennedy
Environmental Scientist



FLORIDA DEPARTMENT of STATE

RON DESANTIS

Governor

CORD BYRD

Secretary of State

September 30, 2024

Roger D. Eaton
Clerk of the Circuit Court
County Comptroller
Charlotte County
18500 Murdock Circle, Room 416
Port Charlotte, Florida 33948

Dear Roger Eaton,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2024-034, which was filed in this office on September 30, 2024.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/wlh



Ticket# 3938550-1
BCC Pg 2
5 x 9.5
Submitted by: Heather Bennett
Publish: 09/09/24
163352 3938552

**PUBLISHER'S AFFIDAVIT OF
PUBLICATION STATE OF FLORIDA COUNTY
OF CHARLOTTE:**

Before the undersigned authority personally appeared Amber Douglas, who on oath says that she is the Legal Advertising Representative of The Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

09/09/24

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signature of Affiant)

Sworn and subscribed before me this 9th day of
September, 2024

(Signature of Notary Public)



Personally known X OR Produced Identification

FISHERMEN'S FESTIVAL

Key Lime & Tropical Fest returns



Roots Almighty is one of the acts booked for the 11th annual Key Lime & Tropical Fest, set for Sept. 21 at Fishermen's Village in Punta Gorda.

11th annual event set for Sept. 21 in Punta Gorda

STAFF REPORT

PUNTA GORDA — Fishermen's Village announced its 11th annual Key Lime & Tropical Fest is set for Sept. 21 at the Punta Gorda shopping center, marina and resort.

The special event, set for noon to 9 p.m., will feature live bands, sales, special vendors until 6 p.m., and dozens of key lime food offerings.

- Bouncing Buddies Face Painting & Balloons, noon-6 p.m.
- Divas 'N Dolls Fairy Hair mobile boutique "Shelly," noon-6 p.m.
- The Kollections Band, noon-3 p.m., Center Court.
- Roots Almighty, 5-9 p.m., Center Court.
- Trop Rock Junkies, 5-9 p.m., Sunset Beach Club.

Key lime and tropical specialties will be available at Fishermen's Village restaurants, stores and from participating vendors on the promenade to include:

- Simply Sweet, key lime gelato, fudge, chocolate, popcorn, taffy, lime-aid, key lime pies and key lime pie-on-a-stick
- Kristi's Key Lime Cookies, cookies, brownies and chocolate bars
- Yum Yum's Dessert Shop, key lime, mango lime, guava lime cheesecakes and cheesecake bites
- Gigigundo Candy, freeze-dried key lime candy, key lime bread, key lime snacks
- Treats by Taylor, artisan sourdough

- breads, pretzel bites, key lime ricotta cookies
- Grammie's Cakes, key lime mini loaf cakes

- Kona Ice of Charlotte County, Lucky Lime & Coconut Lime snow cones
- Bella Balsamic, key lime balsamic, lime olive oil and other tropical flavors
- Harpoon Harry's, house-made key lime pie, grilled shrimp with key lime beurre blanc, jasmine rice, frozen key lime coladas, key lime pie margaritas with graham cracker rim

- Captain's Table house-made key lime pie, key lime martini, tropical shrimp bowl, samples of tartlets and key lime martinis
- Village Brewhouse, key lime martinis, pina rita, crusher, pina colada, cosmo, key lime pie
- Naples Soap Co., soap, bath bombs, shower bombs, discounts on coconut lime and key lime products

- Sand Pebbles, free gift with purchase while supplies last
- Little N' Ninos, tropical ornaments to be personalized on-site, clothing specials

- Soly Paws, bobbing for balls and key limes for dogs, specials
- Spice & Tea Exchange, key lime sugar cookies, Tropical Explosion tea

Admission and parking for the Key Lime & Tropical Fest is free and the public is encouraged to attend.

On-site accommodations are offered at The Suites on the second level of Fishermen's Village. Reservations may be made by calling 941-621-6046 or on line at www.fishermensvillage.com

REMEMBERING 9/11

Communities set up Patriot Day events

Ceremonies set to honor victims of 9/11 attacks

DANIEL FINTON
Staff Writer

Organizations are planning ceremonies in the area to commemorate the events of Sept. 11, 2001.

NORTH PORT

The North Port Police Department and North Port Fire Rescue will host the city's annual Patriot Day Service, beginning at 9 a.m. Wednesday, Sept. 11 in front of North Port City Hall, 4970 City Center Blvd.

The ceremony will honor people in the military, fire rescue, police and emergency medical services.

For more information, visit northportfl.gov/Event-Directory

ENGLEWOOD

The Englewood Chamber of Commerce will host a memorial ceremony from 9:30-10:30 a.m. Wednesday, Sept. 11, at Veteran's Plaza, 641 W. Dearborn St.

It will include speeches, a moment of silence and a display of remembrance. Jessica Meyers will sing "The Star-Spangled Banner." Danny Fusion will play taps.

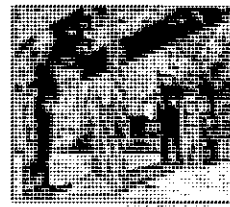
This event is open to the public. For more information, visit www.Englewoodchamber.com/events-news/

PUNTA GORDA

ShorePoint Health Punta Gorda hospital will host a 9/11 Remembrance ceremony from 8:30-9:30 a.m. Sept. 11.

The hospital's Punta Gorda chapel was involved in the aftermath of the attacks in New York and has been instrumental in putting together this service, which will involve ceremonial features and proclamations.

It's open to the public. Parking will be available on Booth Street between Marion and Olympia for those attending.



Englewood Fire Chief Kevin Easton, right, speaks about the events on Sept. 11, 2001 during a remembrance ceremony in Englewood in 2023.

DESOTO COUNTY

DeSoto County Fire Rescue has planned a 9/11 Remembrance Ceremony at 9 a.m. Wednesday, Sept. 11, on the DeSoto County Courthouse lawn.

It is open to the public. For more information, contact DeSoto County Fire Rescue Administration at 863-993-4842 or 122 N. Hillsborough Ave., Arcadia.

VENICE

The Venice 9/11 Remembrance Ceremony will be held at Patriots Park, 800 Venetia Bay Blvd. at 10 a.m. Wednesday, Sept. 11.

The event will include first responders with emergency vehicles; speeches and tributes; Venice Police and Fire Rescue presenting the colors; a proclamation; Venice Fire Rescue bell ringing for those lost; and music.

It is open to the public. Bring chairs and water.

NOKOMIS

The Saranac County Fire Department is planning a remembrance ceremony at 9:30 a.m. Wednesday, Sept. 11 at Fire Station 23, 1930 N. Tamiami Trail, Nokomis.

The purpose of the ceremony is to honor those who served and those who were killed on Sept. 11, 2001.

Situation/from B1

financing," he said. "We financed it for 10 years."

On advice from their attorney, they have stopped making payments.

"It's been a really tough couple of years," he said. "Financially, the business is not doing nearly what it used to, ever since the hurricane."

It's also been difficult for the duo since they are the only ones who run Rojo's.

"We don't want to get slammed, but we still want customers to come in," Ally Biederman said. "We want to be able to take care of our customers."

Ally Biederman said it's almost like double-whammy since the house is attached to the nursery, meaning they could lose it all.

"He was expecting to die here," Ally Biederman said, motioning to her father. "This is everything to him — he has nothing besides this."

Roger Biederman has tried to negotiate with a family member of the previous owner, but she has no desire of letting go of the property, he said.

"When this first started, I remember I would wake up in the middle of the night just freaking out, thinking: 'She could die tomorrow, or right now,'" Roger Biederman said.

"Not only do we lose our home, we lose our livelihood."

With the life estate, the Biedermans cannot make the necessary repairs to their home and nursery from damage that occurred during Hurricane Ian nearly two years ago.

"We want to fix it up, but she could die any day," he said. "We could be evicted at any time."

While the Biedermans wait for a deposition, they're taking it day by day.

asking for the community to visit the nursery and trying to focus on the positive. "We just want to share our knowledge," Ally Biederman said. "We just have to give it to God, we have to just pray, because there's really nothing more that we can do except work our ass off and try to get money, so we just started praying."

Visitors have been stopping by the nursery and dropping off monetary donations, or donating to a GoFundMe page to help with attorney fees.

To donate, visit <https://gofund.me/29f57fb>

"Our accounts are in the negative right now," Ally Biederman said, choking up. "We know God is listening because of the people that help us, the people that care."

NOTICE OF PUBLIC MEETING AND HEARING FOR ONE OR MORE OF THE FOLLOWING MATTERS: PROPOSED CHANGES TO THE FUTURE LAND USE MAP AND COMPREHENSIVE PLAN ELEMENTS, DEVELOPMENTS OF REGIONAL IMPACT OR CHANGES THERETO, REZONINGS, TRANSFER OF DENSITY UNITS (TDU), PRELIMINARY AND FINAL PLATS, DEVELOPER AGREEMENTS, STREET AND PLAT VACATIONS, DRC FINAL DETAIL PLANS OR CHANGES THERETO, TEXT AMENDMENTS AND STREET NAMING

A PUBLIC MEETING AND HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, SEPTEMBER 24, 2024, AT 2:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE MEETING AND HEARING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 119, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 1850 MURDOCK CIRCLE, FORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. ANY OF THESE PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

COPIES OF SAID PETITIONS WITH COMPLETE LEGAL DESCRIPTIONS AND SUBSEQUENT STAFF REPORTS WILL BE AVAILABLE FOR REVIEW AT THE CHARLOTTE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT AND ALL CHARLOTTE COUNTY PUBLIC LIBRARIES. A MEETING AGENDA AND PETITION PACKETS MAY BE REVIEWED AT THE FOLLOWING INTERNET ADDRESS: <http://www.charlottecountyfl.gov/borad-committees/planning-zoning-board/agenda.html>

ALL INTERESTED PERSONS ARE URGED TO ATTEND. THE PUBLIC IS WELCOME TO SPEAK; TIME LIMITS ARE SET BY BOARD RULES. IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARING(S). PLEASE CALL 941-764-4903 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

PETITION LAND USE REGULAR AGENDA PD-24-05

Quasi-Judicial Commission District II
An Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Estate I (RE-I) (47.85+ acres) and Planned Development (PD) (96.99+ acres) to Planned Development (PD) in order to have a residential development up to 273 residential units (a reduction of 86 residential units); requiring transfer of density of units for residential development above the base density of 14 units; adopting a General PD Concept Plan for the property, including multiple parcels, generally located north and east of Prada Drive, south of Zemel Road, east of Burnt Store Road, and west of Charlotte County Landfill and Weigh Station, in the boundary of the Burnt Store Area Plan area and in the Punta Gorda area, containing 144.84+ acres; Commission District II; Petition No. PD-24-05; Applicant: Zemel Land Partners LLC; providing an effective date.

PD-24-07

Quasi-Judicial Commission District II
An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD. This is a major modification of the existing PD, Ordinance Numbers 2021-031 and 2007-037, by amending the adopted PD Concept Plan and its associated PD conditions to 1) allow residential and commercial development containing up to 999 dwelling units (no change) and 200,000 square feet of commercial uses (no change); allow a transfer of 268 density units for a maximum of 999 dwelling units; 2) memorialize the prior phase and other minor modifications, and 3) adopt the General PD Concept Plan; for property, including three parcels, two parcels located at 12300 and 13000 Burnt Store Road and one parcel located between these two parcels, in the Punta Gorda area and within the boundary of the Burnt Store Area Plan area; containing 306.51+ acres; Commission District II; Petition No. PD-24-07; Applicant: CC Burnt Store LLC; providing an effective date.

PD-24-06

Quasi-Judicial Commission District I
An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD. This is a major modification of the existing PD, Ordinance Number 2022-037, by amending the adopted PD Concept Plan in order to remove internal sidewalks along all internal roadways except for the main corridor as depicted in the revised General PD Concept Plan; adopting the revised General PD Concept Plan; for property, which includes four parcels, three parcels located at 379 Horizon Road, 1 Horizon Road, and 102 Sydney Street, and one parcel generally located southeast of Riverside Drive and northwest of Duncan Road (U.S. 17), in the Punta Gorda area, containing 90.82+ acres; Commission District I; Petition No. PD-24-06; Applicant: Palm Breeze of Punta Gorda LLC; providing an effective date.

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the First Security Desk, Building A of the Burdick Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.764.6191, TDD/TTY 941.743.1234, or by email to David.Lyles@CharlotteCountyFL.gov

Published September 9th, 2024



Attachment 8

Ordinance Number 2024-033

September 30, 2024

ORDINANCE
NUMBER 2024 - 033

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM RESIDENTIAL ESTATE 1 (RE-1) (34.1± ACRES) AND PLANNED DEVELOPMENT (PD) (315± ACRES) TO PLANNED DEVELOPMENT (PD) IN ORDER TO HAVE A RESIDENTIAL DEVELOPMENT UP TO 1,000 RESIDENTIAL UNITS (NO CHANGE); ADDING A LAND USE EQUIVALENCY MATRIX FOR A MIXTURE OF RESIDENTIAL AND COMMERCIAL DEVELOPMENT, AND THE MAXIMUM DEVELOPMENT RIGHTS WOULD BE 1,000 RESIDENTIAL UNITS WITH NO COMMERCIAL SQUARE FOOTAGE, OR A MAXIMUM OF 100,000 SQUARE FEET OF COMMERCIAL USES WITH 466 RESIDENTIAL UNITS; REQUIRING TRANSFERRING DENSITY OF 779 UNITS FOR RESIDENTIAL DEVELOPMENT ABOVE THE BASE DENSITY OF 221 UNITS; ADOPTING A GENERAL PD CONCEPT PLAN, FOR PROPERTY, INCLUDING FOUR PARCELS, THREE PARCELS LOCATED AT 15162, 15170 BURNT STORE ROAD AND 26000 ZEMEL ROAD, AND ONE PARCEL GENERALLY LOCATED NORTH OF ZEMEL ROAD, SOUTH OF SHOTGUN ROAD, AND EAST OF BURNT STORE ROAD, IN THE BOUNDARY OF THE BURNT STORE AREA PLAN AREA AND IN THE PUNTA GORDA AREA, CONTAINING 349.1± ACRES; CHARLOTTE COUNTY, FLORIDA; COMMISSION DISTRICT II; PETITION PD-24-04; APPLICANT: ZEMEL LAND PARTNERS LLC; PROVIDING AN EFFECTIVE DATE.

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF
CIRCUIT COURT

PAGE: 33
INSTR #: 3453555 Doc Type: GOV
Recorded: 09/30/2024 at 10:56 AM
Rec. Fee: RECORDING \$282.00

RECITALS

WHEREAS, in a public hearing held on Tuesday, September 24, 2024, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition PD-24-04, submitted by applicant, Zemel Land Partners LLC ("Applicant"), which requested a rezoning from Residential Estate 1 (RE-1) (34.1± acres) and Planned Development (PD) (315± acres) to Planned Development (PD) in order to have a residential development up to 1,000 residential units (no change); adding a Land Use Equivalency Matrix for a mixture of residential and commercial development, whereby the maximum

mm

development rights would be 1,000 residential units with no commercial square footage, or a maximum of 100,000 square feet of commercial uses with 466 residential units; requiring transfer of density units for residential development above the base density of 222 units; adopting a General PD Concept Plan for the property, including four parcels; three parcels located at 15162, 15170 Burnt Store Road and 26000 Zemel Road, and one parcel located north of Zemel Road, south of Shotgun Road, and east of Burnt Store Road, in the boundary of the Burnt Store Area Plan area and in the Punta Gorda area, containing 349.1± acres, Commission District II, and more particularly described in Exhibit "A" which is attached hereto and by this reference provided herein ("Property"); and

WHEREAS, the Applicant seeks to rezone the Property from Residential Estate 1 (RE-1) (34.1± acres) and Planned Development (PD) (315± acres) to Planned Development (PD) in order to allow for a residential development of 1,000 residential units with no commercial square footage, and a mixed residential and commercial development up to a maximum of 466 residential units with 100,000 square feet of commercial uses using the proposed Land Use Equivalency Matrix on the Property; and

WHEREAS, Petition PD-24-04 was heard by the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the findings and analysis provided by County Staff and the evidence presented to the P&Z Board, the P&Z Board recommended approval on August 12, 2024; and

WHEREAS, after due consideration, based on the findings and analysis provided by County Staff and the evidence presented to it, the Board

finds that approval of Petition PD-24-04 is consistent with the County's Comprehensive Plan and meets the requirements for the granting of a rezone; and

WHEREAS, the Board finds that approval of Petition PD-24-04 to rezone the subject property from Residential Estate 1 (RE-1) and Planned Development (PD) to Planned Development (PD) to be in the best interests of the County.

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

SECTION 1. The following petition, made by applicant, Zemel Land Partners LLC ("Applicant"), for an amendment to the Charlotte County Zoning Atlas is hereby approved subject to the General PD Concept Plan and conditions contained in the attached Exhibit "B":

Petition PD-24-04 requesting a rezoning from Residential Estate 1 (RE-1) (34.1± acres) and Planned Development (PD) (315± acres) to Planned Development (PD) in order to have a residential development up to 1,000 residential units (no change); adding a Land Use Equivalency Matrix for a mixture of residential and commercial development, whereby the maximum development rights would be 1,000 residential units with no commercial square footage, or a maximum of 100,000 square feet of commercial uses with 466 residential units; requiring transfer of density units for residential development above the base density of 222 units; adopting a General PD Concept Plan for the property, including four parcels; three parcels located at 15162, 15170 Burnt Store Road and 26000 Zemel Road, and one parcel located north of Zemel Road, south of Shotgun Road, and east of Burnt Store Road, in the boundary of the Burnt Store Area Plan area and in the Punta Gorda area, containing 349.1± acres, Commission

District II, and more particularly described in Exhibit
"A" which is attached hereto and by this reference
provided herein.

SECTION 2. That the zoning for this property shall run with the
property and shall apply to any subsequent owners, heirs and assigns.

SECTION 3. This Ordinance's effective date shall be upon filing in
the Office of the Secretary of State, State of Florida.

[SIGNATURE PAGE FOLLOWS]

PASSED AND DULY ADOPTED this 24th day of September, 2024.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: _____

William G. Truex, Chairman

ATTEST:

Roger D. Eaton, Clerk of the Circuit Court
and Ex-Officio Clerk of the
Board of County Commissioners

By: _____

Deputy Clerk

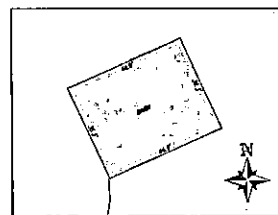
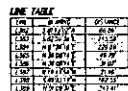
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: _____

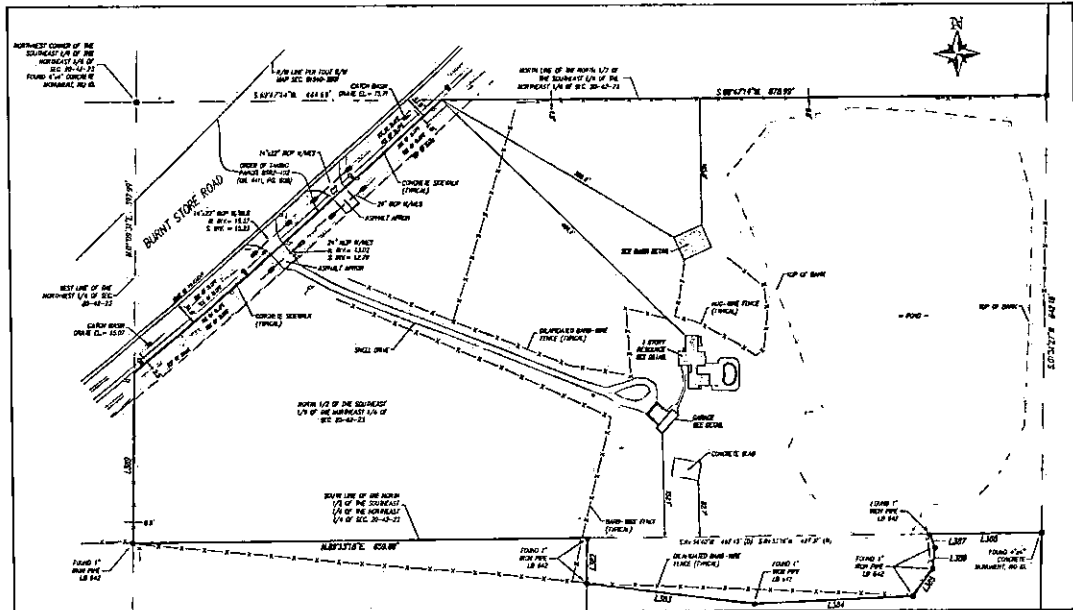
Janette S. Knowlton, County Attorney

LR2024-0266

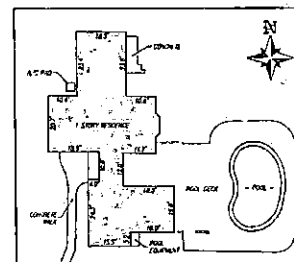
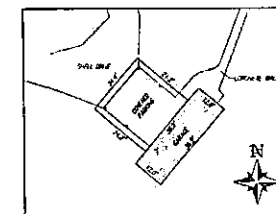
OF A PARCEL OF LAND LYING IN
SECTION 21, TOWNSHIP 42 SOUTH, RANGE 23 EAST,
CHARLOTTE COUNTY, FLORIDA



GARY DETAIL
(M.F. 45-30)



DETAIL FOR
PAGE 1-10

1 STORY RESIDENCE DETAIL
(PAGE 1 OF 2)

GARAGE DETAIL

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ENGINEERING LICENSE # EE 8485
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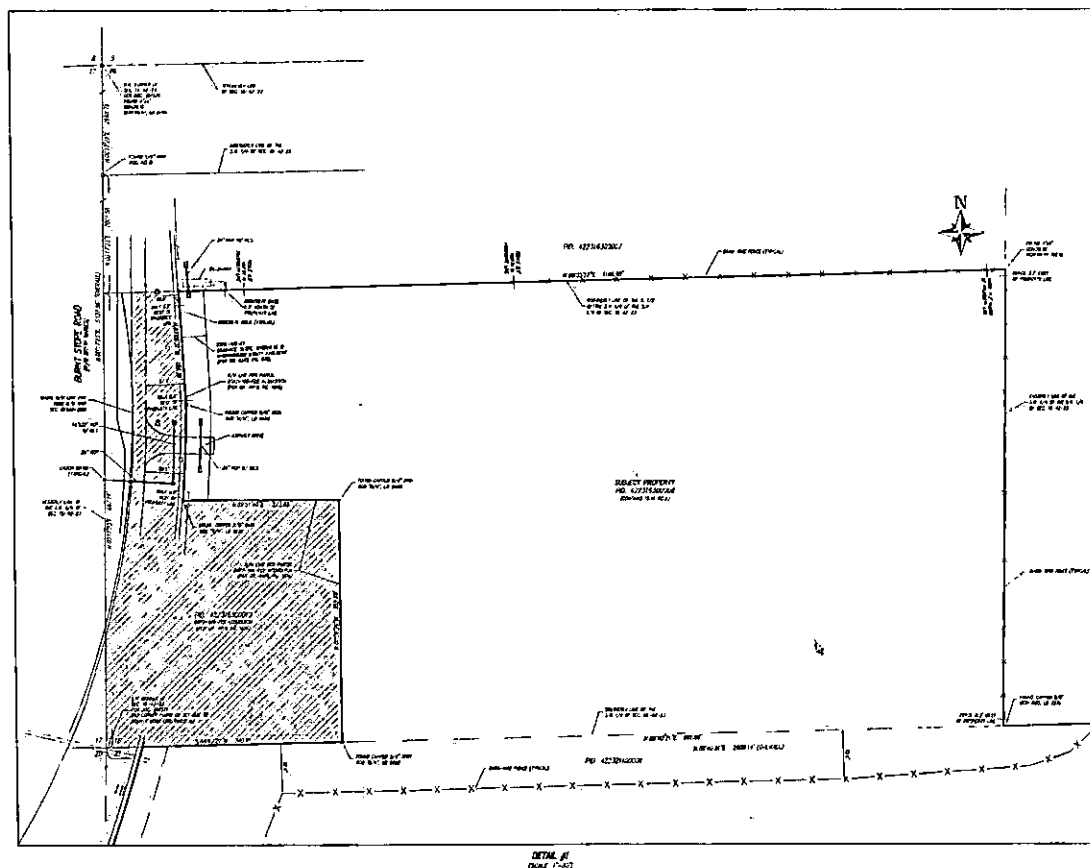
BOUNDARY SURVEY

FIRELIGHT NORTH
CHARLOTTE COUNTY, FLORIDA

DATE	FIG/CG	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
8/18/23	4532	4532 SR		JS	COB	AS SHOWN	2 of 3

SURVEY PLAT

OF A PARCEL OF LAND LYING IN
SECTION 21, TOWNSHIP 42 SOUTH, RANGE 23 EAST,
CHARLOTTE COUNTY, FLORIDA



DETAIL #1
(PAGE 1-40)

LEGEND

- 10 - 1/2" CORNER WITH IRON PLATE
- 11 - 1/4" CORNER
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CURVE TABLE

STATION	CHORD BEARING	CHORD LENGTH	ARC LENGTH	AREA
100+00	N 89° 15' 00" E	100.00	100.00	100.00
100+10	N 89° 15' 00" E	100.00	100.00	100.00
100+20	N 89° 15' 00" E	100.00	100.00	100.00
100+30	N 89° 15' 00" E	100.00	100.00	100.00
100+40	N 89° 15' 00" E	100.00	100.00	100.00
100+50	N 89° 15' 00" E	100.00	100.00	100.00
100+60	N 89° 15' 00" E	100.00	100.00	100.00
100+70	N 89° 15' 00" E	100.00	100.00	100.00
100+80	N 89° 15' 00" E	100.00	100.00	100.00
100+90	N 89° 15' 00" E	100.00	100.00	100.00
101+00	N 89° 15' 00" E	100.00	100.00	100.00

STATION	CHORD BEARING	CHORD LENGTH	ARC LENGTH	AREA
100+00	N 89° 15' 00" E	100.00	100.00	100.00
100+10	N 89° 15' 00" E	100.00	100.00	100.00
100+20	N 89° 15' 00" E	100.00	100.00	100.00
100+30	N 89° 15' 00" E	100.00	100.00	100.00
100+40	N 89° 15' 00" E	100.00	100.00	100.00
100+50	N 89° 15' 00" E	100.00	100.00	100.00
100+60	N 89° 15' 00" E	100.00	100.00	100.00
100+70	N 89° 15' 00" E	100.00	100.00	100.00
100+80	N 89° 15' 00" E	100.00	100.00	100.00
100+90	N 89° 15' 00" E	100.00	100.00	100.00
101+00	N 89° 15' 00" E	100.00	100.00	100.00

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SURVEYING LICENSE # 12,800

BOUNDARY SURVEY
FIRELIGHT NORTH
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
8/15/23	#332	4332 SR		JS	CDR	AS SHOWN	3 of 3

PD Conditions for Application PD-24-04

This proposed development shall comply with all applicable requirements as set forth in Charlotte County's Code of Laws and Ordinances. In addition, the following shall apply:

- a. Development of the subject property shall occur as generally illustrated on the General PD Concept Plan (Attachment 1: PD Concept Plan Firelight North) submitted by the applicant, prepared by Banks Engineering, dated April 16, 2014, except such modifications as may be required to meet the conditions of the PD zoning district. The open space area shall be no less than 118.22± acres. The General PD Concept Plan includes 51.82± acres of wetlands and associated uplands, 17.94± acres of wildlife corridor area, 2.03 acres of greenway corridor area, and 46.43± acres of common open space area which shall not include any stormwater areas. In addition, the PD Concept Plan Site Plan Review (Petition No. DRC-23-00225) is subject to the comments and conditions contained in the letter dated April 15, 2024, and signed by Shaun Cullinan, Charlotte County Planning and Zoning Official. The General PD Concept Plan shall be valid until a Final Detail Site Plan is approved per Code Section 3-9-45.
- b. The base density for the subject property is 221 units. The proposal is to develop a total of 1,000 dwelling units. Any residential development above 221 units shall require transferred density units. The transfer of density units must be approved by the Board of County Commissioners subject to the County's Land Development Regulations 3-9-150: Transfer of Density Units, as may be amended, prior to Final Detail Site Plan or Preliminary Plat approval, whichever occurs first.
- c. Permitted uses and accessory uses.

For "Residential Area" or "Mixed Use Area":

- i. Single-family homes attached or detached.
- ii. Multi-family.
- iii. Townhomes.
- iv. Amenities such as clubhouse, community pool, tennis court or other similar non-commercial recreational uses and structures.
- v. Community garden.
- vi. Park, public or not-for-profit.
- vii. Accessory uses and structures. Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are permitted within this development, including, but not limited to:
 - 1) Accessory structures, including, but not limited to, garages, carports and sheds.
 - 2) Fences or walls.
 - 3) Swimming pools, tennis court or other similar non-commercial recreational uses and structures.

For "Commercial Area" or "Mixed Use Area":

- i. Animal hospital, boarding facility.
- ii. Art, dance, music, photo studio or gallery.



- iii. Bank, financial services.
 - iv. Business services.
 - v. Clubhouse, community center.
 - vi. Day care center, child.
 - vii. Drug store, pharmacy.
 - viii. Dry cleaner.
 - ix. Gas station.
 - x. General offices.
 - xi. General retail sales and services. (see Sec. 3-9-61. Accessory Outdoor Retail Sales, Display, and Storage)
 - xii. Government uses and facilities.
 - xiii. Laundromat.
 - xiv. Liquor, package store.
 - xv. Medical or dental office, clinic.
 - xvi. Mini-warehouses or storage facilities, but not bulk storage of flammable liquids.
 - xvii. Motor vehicle wash.
 - xviii. Personal services.
 - xix. Place of Worship. (see Sec. 3-9-82. Places of Worship, as may be amended)
 - xx. Post office.
 - xxi. Printing facilities.
 - xxii. Professional services.
 - xxiii. Recreation, indoor.
 - xxiv. Restaurant.
 - xxv. Wholesale sales.
 - xxvi. Accessory uses and structures. Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are permitted within this development, including, but not limited to fences or walls, which may be permitted prior to the principal uses and structures.
- d. The maximum development rights are no more than 1,000 residential units without any commercial uses or a maximum of 466 residential units and 100,000 square feet of commercial uses subject to the following Land Use Equivalency Matrix.

Land Use Trip Equivalency Matrix - Firelight North					
A. LAND USE EQUIVALENCY RATES					
CHANGE FROM ↓	CHANGE TO →	Shopping Center/Retail (1,000 SF)	Single-Family Detached Residential (DU)	Multi-Family Residential Low-Rise (DU)	Single-Family Attached Residential (DU)
Shopping Center/Retail (1,000 SF)		—	9.6064	17.7059	15.8421
Single-Family Detached Residential (DU)		0.1041	—	1.8431	1.6491
Multi-Family Residential Low-Rise (DU)		0.0565	0.5426	—	0.8947
Single-Family Attached Residential (DU)		0.0631	0.6064	1.1176	—

B. SOURCE INFORMATION AND DOCUMENTATION FOR EQUIVALENCY RATES			
Land Use	Units	Net, New Trip Rate [1]	Trips / Unit
Shopping Plaza (40-150k) (ITE 821)	1 (1,000 SF)	9.03	9.03 (1,000 SF)
Single-Family Detached Residential (ITE 210)	1 (DU)	0.94	0.94 (DU)
Multi-Family Residential Low-Rise (ITE 220)	1 (DU)	0.51	0.51 (DU)
Single-Family Attached Residential (ITE 215)	1 (DU)	0.57	0.57 (DU)

C. FOOTNOTES	
[1]: Trip Rate based upon ITE Trip Generation, Eleventh Edition, p.m. peak-hour trip generation rates as follows:	
Shopping Center/Retail	Obtained using the Trip Generation equation for ITE 821.
Single-Family Detached Residential	Obtained using the Trip Generation equation for ITE 210.
Multi-Family Residential Low-Rise	Obtained using the Trip Generation equation for ITE 220.
Single-Family Attached Residential	Obtained using the Trip Generation equation for ITE 215.

- e. Special exceptions shall not be allowed.
- f. No development shall occur prior to Final Detail Site Plan approval. Final Detail Site Plan, when sufficient and acceptable to County, will be scheduled on the Board of County Commissioners land use consent agenda.
- g. A development timeline and phasing plan for the entire PD shall be submitted as part of Final Detail Site Plan approval.
- h. The maximum building height for single-family homes, multi-family, townhomes, commercial uses, and amenity structures is 38 feet from the base flood elevation. Other development standards are listed on the PD Concept Plan.
- i. All roadways within the development shall be constructed to Charlotte County standards. Following Final Detail Site Plan approval, all private roadways shall be required to be maintained in perpetuity by the developer, and subsequently, a homeowners' association or similar entity.
- j. The applicant/property owner shall provide a pedestrian/sidewalk system with a minimum width of five feet throughout the development, which shall be part of the Final Detail Site Plan. Such sidewalk system shall connect to the existing sidewalk system on Burnt Store Road. At a minimum, an eight feet sidewalk is required along Zemel Road for the subject property boundary.
- k. There shall be two entrances located on Burnt Store Road, one entrance on Zemel Road, an emergency access point on Zemel Road, one optional pedestrian/vehicle access to the

property located immediately to the north and one optional pedestrian/vehicle access to the property located immediately to the east, which are shown on the General PD Concept Plan (Attachment 1). The emergency access point on Zemel Road may be closed at such time as the bridge over the wildlife corridor is constructed and open to traffic and the access points to Burnt Store Road are constructed and open to traffic. The exact locations for these access points will be determined during the Final Detail Site Plan review stage. With respect to the site related improvements and other items, County Transportation staff reserve the right to make additional comments at the time of Final Detail Site Plan review.

- l. Prior to Final Detail Site Plan approval, the applicant shall be required to meet concurrency per Article XIV. Concurrency Management. As to transportation concurrency, the applicant shall be required to account for project traffic and previously approved developments which have reserved capacity in the roadway level of service analysis. If the level of service (LOS) falls below the adopted minimum standard due to the proposed development traffic, a proportionate share analysis may be required to satisfy concurrency.
- m. At the Final Detail Site Plan for any phase of the development submittal, the developer shall prepare an updated traffic impact study to:
 - i. Include a signal warrant at project entrance on Zemel Road. Before the project can receive any residential Certificates of Occupancy, and if the Traffic Impact Study shows that a signal meets the warrants, the design, construction and installation requirements for a traffic signal at the project entrance shall be memorialized in a developer's agreement acceptable to the County. The applicant has the option to build a roundabout at the project entrance on Zemel Road. The design, construction and installation requirements for such roundabout shall be memorialized in a developer's agreement acceptable to the County.
 - ii. include a signal warrant at the intersection of Burnt Store Road and Zemel Road. If signal warrants are met at the intersection of Burnt Store Road and Zemel Road, and before a certificate of occupancy for any project phase can be issued, the traffic signal development shall be memorialized in a developer's agreement acceptable to the County.
- n. The development must use potable water and sanitary sewer utilities. The potable water and sanitary sewer lines must be connected to the site before any certificates of occupancy shall be issued. The developer may extend reclaimed water utility lines, if available at the time of construction.
- o. The 25-foot PD setback is required as shown on the PD Concept Plan. access points such as roads and sidewalks, stormwater, landscaping and buffers may be located within the 25-foot PD setback.
- p. The site shall be developed with a unified landscaping theme. Landscaping and Buffers:
 - i. At a minimum, a type "B" buffer shall be required along the property boundary except for the wildlife corridor, the greenway corridor, and the wetland areas.

- ii. At a minimum, planting equivalent to a type "B" buffer shall be required for multi-family development immediately abutting single-family homes.
 - iii. At a minimum, planting equivalent to a type "A" buffer shall be required for multi-family development immediately abutting townhomes.
 - iv. At a minimum, planting equivalent to a type "A" buffer shall be required for townhomes immediately abutting single-family homes.
 - v. At a minimum, planting equivalent to a type "C" buffer shall be required for commercial uses immediately abutting single-family homes and townhomes.
 - vi. At a minimum, planting equivalent to a type "B" buffer shall be required for commercial uses immediately abutting multi-family uses.
 - vii. At a minimum, a type "C" buffer is required for all amenities and recreational areas.
 - viii. At a minimum, within the commercial, mixed use and residential area abutting Burnt Store Road, for residential use, a Type C Buffer for accent trees and canopy trees and perimeter hedge row which must be a minimum 36 inches in height upon planting (the minimum maintained height of 48 inches) to form a continuous, solid visual screen within one (1) year of planting shall be required along Burnt Store Road; for commercial and mixed use, a Type A Buffer for accent trees and canopy trees and perimeter hedge row which must be a minimum 36 inches in height upon planting (the minimum maintained height of 48 inches) to form a continuous, solid visual screen within one (1) year of planting shall be required along Burnt Store Road. The General PD Concept Plan (Attachment 1) shall control the remaining portion of this area.
 - ix. If Conditions q.i. through q.viii., regarding the location and type of buffers, creates any perceived ambiguity or confusion, the General PD Concept Plan (Attachment 1) shall control.
- q. All commercial development shall meet the provisions of Chapter 3-5, Article XXIV, Charlotte County Commercial Design Standards, except as follows:
- i. Each primary facade shall incorporate a minimum of five (5) design treatments.
 - ii. The primary customer entrance may face the parking lot.
- r. Habitat management plan (Attachment 2: Native Habitat Management Plan) shall be implemented to make sure that the onsite wetland identified as "wetland area," the wildlife corridor area identified as "wildlife corridor area," and the greenway corridor area identified as "greenway corridor area" on the General PD Concept Plan (Attachment 1) shall be restored and preserved in perpetuity. At a minimum, a 25-foot buffer is required along the proposed wildlife corridor. A minimum of 15-foot, and average of 25-foot buffer along all wetlands is required. Signage shall be required to warn residences of the conservation status of the preserves and such signs shall be identified on the Final Detail Site Plan and be placed along the perimeter of the preserves, particularly where they abut development.
- s. The proposed bridge crossing over the proposed wildlife corridor shall be designed to allow the passage of such animals utilizing the corridor.

- t. The development shall comply with the "Bald Eagle Management Plan" (Attachment 3).
- u. If outdoor lighting in the proposed amenity area is proposed, it will be shielded or directed in such a way that the light does not shine beyond the boundaries of the proposed amenity area. Outdoor lighting shall be prohibited in the wildlife corridor and greenway corridor area.
- v. The final design of the amenity area shall be determined at Final Detail Site Plan review. The proposed amenity area may contain a clubhouse, with a swimming pool, a tennis court, or similar uses, and a parking area. If a clubhouse is constructed, it shall be built to the highest wind-bearing loads required by Charlotte County and will be made available for use as a post-storm hurricane refuge to the proposed neighborhood following a natural disaster. It is understood that the clubhouse will not be able to accommodate all residents of the community.
- w. Natural gas outdoor lanterns may be incorporated into Project signage to be approved as part of Final Detail Site Plan application approval.
- x. Regarding the school concurrency issues:
 - i. If the school concurrency process is still required under a valid interlocal agreement, prior to Final Detail Site Plan or Final Plat approval for any residential development for any Phases, the applicant/property owner must obtain a School Concurrency Availability Determination Letter (SCADL) from Charlotte County Public Schools (CCPS) indicating that sufficient capacity exists, or has been accounted for through a binding and enforceable agreement with CCPS to address school concurrency.
 - ii. If an agreement is required, the terms of such agreement shall be incorporated into the Planned Development Final Detail Site Plan approval and shall not constitute a major modification.

Attachment 1
PD Concept Plan Firelight North

7532-FIRELIGHT



SECTION 21, TOWNSHIP 42 SOUTH, RANGE 23 EAST
CHARLOTTE COUNTY, FLORIDA

SITE INFORMATION

<u>PROJECT AREA:</u>	349.10 ACRES
<u>PARCEL STRAP NO.:</u>	422321160001, 422320200009, 422320200013, & 422316300008
<u>PARCEL ADDRESS:</u>	26000 ZEMEL RD. PUNTA GORDA, FL 33955
<u>CURRENT ZONING:</u>	RE1
<u>PROPOSED USE:</u>	RESIDENTIAL PLANNED DEVELOPMENT (PD)

PREPARED FOR:
ZEMEL LAND PARTNERS, LLC
5800 LAKEWOOD RANCH BLVD.
SARASOTA, FL 34240
(941) 328-1142

UTILITY SERVICE PROVIDERS

WATER: CHARLOTTE COUNTY UTILITIES	3100 LOWELLAND BLVD. PORT CHARLOTTE, FL 33980 PHONE: (841) 784-4300
SEWER: CHARLOTTE COUNTY UTILITIES	3100 LOWELLAND BLVD. PORT CHARLOTTE, FL 33980 PHONE: (841) 784-4300
ELECTRIC: FLORIDA POWER AND LIGHT	7245 MURPHY CT. NORTH PORT, FL 34288 PHONE: (800) 375-8490
PHONE: CENTURYTELE	4195 KINGS HIGHWAY PORT CHARLOTTE, FL 33980 PHONE: (841) 837-5141
CABLE: COMCAST	12600 WESTUNDS DRIVE, SUITE 4 PORT MYERS, FL 33981 PHONE: (239) 318-1525
FIRE PROTECTION: CHARLOTTE COUNTY FIRE/EMS	25571 AIRPORT RD. PUNTA GORDA, FL 33952 PHONE: (841) 833-5600
SOLID WASTE DISPOSAL: WASTE MANAGEMENT	25515 OLD LARGELAND ROAD PORT CHARLOTTE, FL 33980 PHONE: (841) 826-1109

PROJECT CONTACTS

CIVIL ENGINEER:
BANKS ENGINEERING
1000 R. REGAL P.E., PROJECT MANAGER

SURVEYOR:
BANKS ENGINEERING
C. DICKY (BANKER), P.S.M.

ENVIRONMENTAL:
KIMLEY-HORN & ASSOCIATES, INC.

LANDSCAPE ARCHITECT:
JOHN T. SMITH, R.L.A.

TRAFFIC ENGINEER:
KIMLEY-HORN & ASSOCIATES, INC.

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PORT CHARLOTTE, FL 33532
PHONE: (813) 823-1165

4151 TAMiami TRAIL - BLDG 5 UNIT 301
PORT CHARLOTTE, FL 33532
PHONE: (813) 823-1165

635 NORTH FRANKLIN STREET, SUITE 150
TAMPA, FL 33602
PHONE: (813) 820-1460

P.O. BOX 494465
PORT CHARLOTTE, FL 33549
PHONE: (813) 828-7365

635 NORTH FRANKLIN STREET, SUITE 150
TAMPA, FL 33602
PHONE: (813) 820-1460

INDEX OF SHEETS

SHEET	TITLE
1	COVER SHEET
2	AERIAL
3	PD CONCEPT PLAN

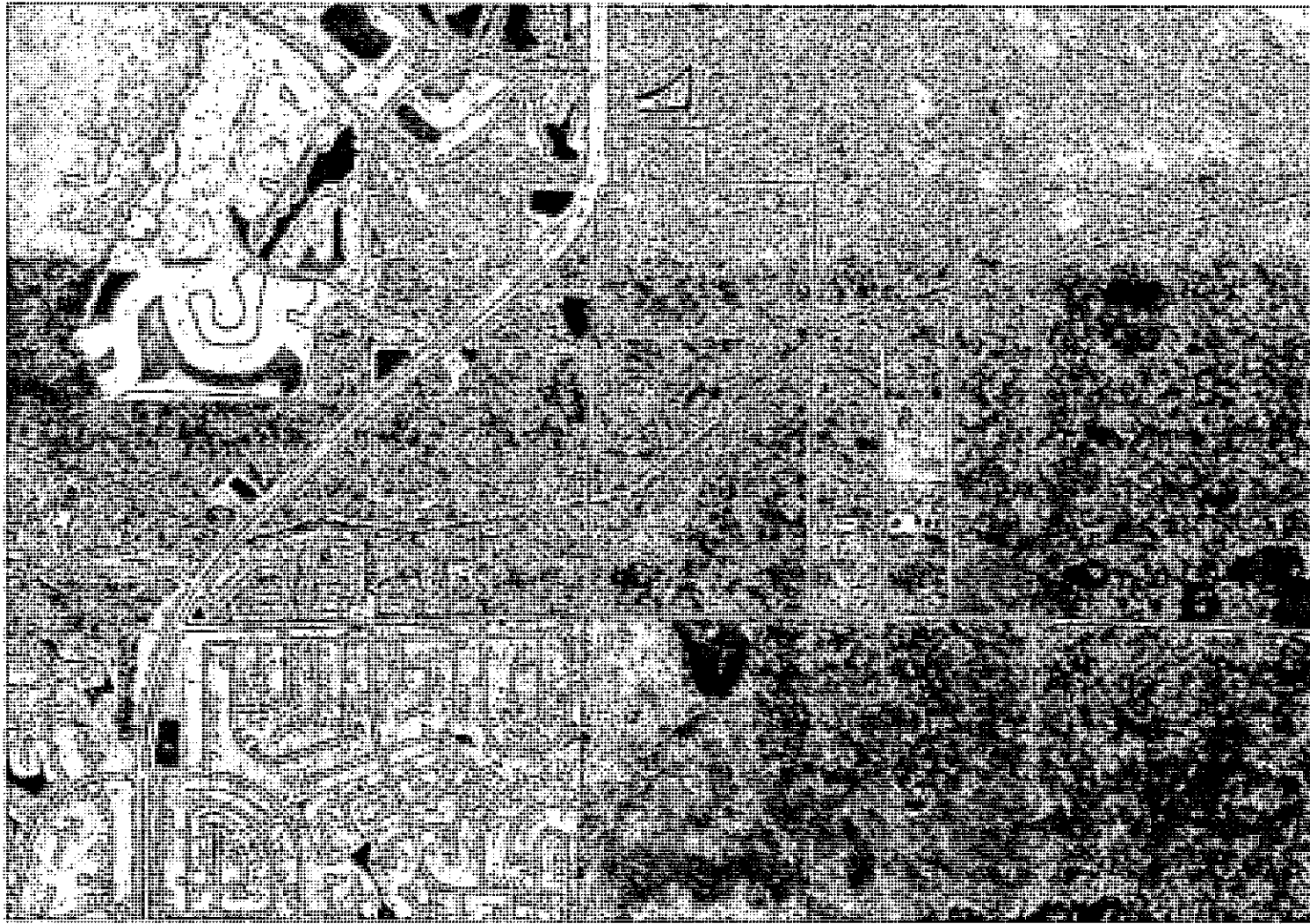
BANKS
ENGINEERING

Professional Engineers, Planners, & Land Surveyors
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4161 TAMAMI TRAIL - BLDG 3 UNIT 501
PORT CHARLOTTE, FLORIDA 33952
PHONE: (941) 625-1165
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 5690
WWW.BANKSENGFLA.COM

TODD R. REBOL P.E.
FLORIDA LICENSE #54040

[illegible]



PREPARED FOR: ZEMEL LAND PARTNERS, LLC 8400 LAKEWOOD RANCH BLVD. SARASOTA, FL 34238 (941) 558-1142		ALL ELEVATIONS ON CIVIL ENGINEERING PLANS REFERENCE NAVD 83 NO. DATE REVISION DESCRIPTION BY	BANKS ENGINEERING Professional Engineers, Planners, & Land Surveyors Serving Southwestern Florida 12011 324th AVENUE, SUITE 100 FORT MYERS, FLORIDA 33908 PHONE: (239) 838-5490 FAX: (239) 838-5491 4181 TAMARCA TRAIL - (SUITE 200) BOX 809 PORT CHARLOTTE, FLORIDA 33682 PHONE: (941) 825-1143 WWW.BANKSENG.COM INSURANCE LICENSE #18,839 A, SURVEY LICENSE #18,839	AERIAL FIRELIGHT NORTH CHARLOTTE COUNTY, FLORIDA TOOD R. HOWAL, P.E. FLORIDA LIC. # 84940	COMPLETION DATE: 04-18-24 PROJECT: 4322 DRAFTED BY: MFM DESIGNED BY: MFM REVIEWED BY: MFM SCALE: 1" = 800' SHEET: 2
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Attachment 2

Native Habitat Management Plan

Kimley»Horn

FIRELIGHT NORTH

NATIVE HABITAT MANAGEMENT PLAN

August 2024

Prepared for:
NEAL COMMUNITIES
5800 LAKEWOOD RANCH BLVD
SARASOTA, FL 34240

Prepared by:
KIMLEY-HORN
1777 MAIN STREET, SUITE 200
SARASOTA, FL 34236

INTRODUCTION

The following Native Habitat Management Plan has been prepared to address the long-term management of the wetland, wildlife corridor, greenway corridor, and upland preservation areas for the proposed development.

The subject property is located in Section 20, Township 42S, Range 23E in Punta Gorda, Florida.

NATIVE HABITAT PRESERVATION AREA MANAGEMENT PLAN

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 80% aerial coverage of 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, only activities necessary to implement the maintenance plan described above will be allowed within the preservation areas.

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, or 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.



Kimley-Horn

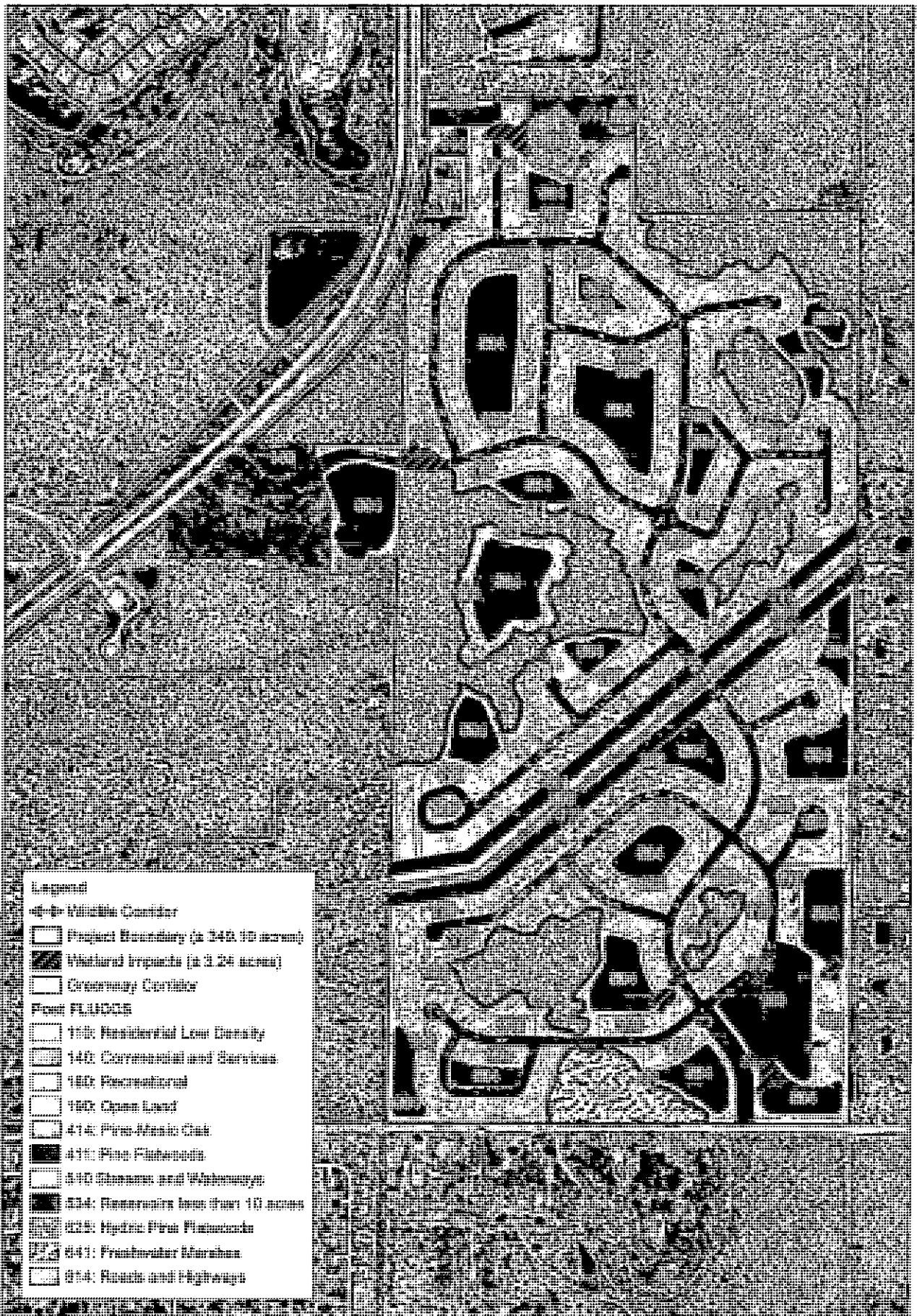
30 West Kinship Horn and Associates Inc.
2001 and 10,000 RD, Danville, VA 22026
Phone (540) 379-7800
www.kimley-horn.com

Client: Neal Communities Inc.
Project: Firelight North
Location: Charlotte County
Sheet: 16, of 26
Title: FLUCCS Habitat Map
Seal: [Seal]

Drawn By: CD
Date: 4/10/2014

SCALE 1" = 500'

0 500 1,000 Feet



Kimley-Horn

© 2024 Kimley-Horn and Associates, Inc.
 1000 East 10th Street, Suite 100, Jacksonville, FL 32204
 (904) 444-1000 • www.kimley-horn.com

Client: Neel Communities, Inc.
 Project: Flightline North
 Location: Citrus County
 Sheet: 10 of 21 Top: 345 Ring: 170
 Title: Post-FLANDS Habitat Map
 Source: Aerialmap 1000 (2024)

Drawn By: GJ
 Date: 7/10/2024

SCALE 1" = 500'

0 500 1,000
 Feet



Attachment 3

Bald Eagle Management Plan

Kimley»Horn

FIRELIGHT NORTH

BALD EAGLE MANAGEMENT PLAN

August 2024

Prepared for:
NEAL COMMUNITIES
5800 LAKEWOOD RANCH BLVD
SARASOTA, FL 34240

Prepared by:
KIMLEY-HORN
1777 MAIN STREET, SUITE 200
SARASOTA, FL 34236

INTRODUCTION

This plan is provided to allow for construction for the subject parcel which contains an undocumented bald eagle nest within the project limits. The field verified location of the nest is shown on the attached Eagle Nest Location Map.

The purpose of this plan is to address protection and management measures necessary to ensure that the proposed construction for the subject parcel does not result in nesting disturbance of the bald eagle pair which utilizes the nest.

This plan is provided to address protection measures to be implemented for exterior construction activities during the nesting season.

PROJECT LOCATION

The subject property is located in Section 20, Township 42S, Range 23E in Punta Gorda, Florida. Please refer to the attached Location Map.

EAGLE NEST INFORMATION

An undocumented eagle nest is located in central portion of the parcel, near the eastern property line. The attached Bald Eagle Management Plan Map provides the location of the nest as well as the limits of the United States Fish and Wildlife Service (FWS) Primary Protection Zone (330') and Secondary Protection Zone (660').

BACKGROUND INFORMATION

The parcel is currently undeveloped and is intended to be developed as a residential community. The attached Bald Eagle Management Map provides the proposed site plan. As depicted on the site plan, no development is proposed within the 330' Primary Protection Zone and construction associated with the residential development is proposed within the 660' Secondary Protection Zone.

CONSTRUCTION ACTIVITIES

Exterior activity within the 660' Secondary Protection Zone is anticipated to be conducted outside of the eagle nesting season (October 1 – May 15). In the event that construction activity within the 660' protection zone is required during nesting season, the monitoring plan outlined below will be implemented.

MONITORING PLAN

Monitoring of the nest will be conducted in accordance with the guidelines outlined in the FWS Bald Eagle Monitoring Guidelines, revised September 2007. All monitoring will be conducted by a qualified eagle monitor with extensive experience with eagle monitoring and familiarity with eagle behavior, particularly behaviors which are indicative of nesting disturbance, distraction, or agitation.

Initial Monitoring to Confirm Occupancy of the Nesting Territory

Bald eagles are considered to have returned to the territory when one or both members of the pair appear, flies, perches, roosts, exhibits courtship, carries nest material, begins repair of the existing nest or begins construction of a new nest on the territory.

Initial monitoring of eagles to determine territory occupancy shall be conducted a minimum of one day per week and consist of in sequence: nest tree observations for a minimum of three hours, followed by nest tree inspection for indirect evidence of eagle use if no adults are observed.

The following shall constitute positive indirect evidence that bald eagles have returned to the nesting territory: 1) fresh moss or green tree branches placed or interwoven into the nest top, or 2) fresh droppings ("whitewash") on vegetation or the ground beneath the nest tree. Direct or indirect evidence of territory occupancy by adult eagles triggers the requirement for more intensive nesting cycle monitoring described below.

Monitoring During Early Phases of the Nesting Cycle

If the territory is determined to be occupied, it will be considered active, and nesting eagles shall, at that time, be monitored a minimum of three days each week and four hours each day from onset of nesting behavior through the fourth week post-hatching and care of eaglets. Monitoring shall be scheduled to occur on the days that are representative of all major phases of these activities at times when they will occur.

REPORTING REQUIREMENTS

Monitoring reports summarizing the nest monitoring events will be submitted monthly with nest observations including:

1. Temporal patterns of nest attendance by the adults.
2. Observations of courtship, mating and nest building/maintenance.
3. Incubation and brooding behavior.
4. Feeding, growth and care of the eaglet(s).
5. Flight patterns to and from the nest tree.
6. Fledging of the eaglet(s).

Monitoring reports will also include survey times, weather conditions, other bird species observed during the monitoring events, and a summary of ongoing and completed construction activities.

CESSATION OF CONSTRUCTION

If, at any time during the monitoring, the eagle monitor observes eagle behavior indicative of disturbance, agitation, or distraction resulting from the proposed construction activity, the monitor will notify the site contractor to cease all construction immediately.

ANTICIPATED IMPACT

The monitoring plan described above has been designed in accordance with FWS guidelines to provide assurance that the proposed construction activity will not result in an adverse impact to the eagles or disturb nesting behavior during the nesting season. This monitoring plan provides for observations to determine when the eagles have returned to the nesting territory as well as intensive monitoring during the nesting cycle to ensure that the nesting is not disturbed by the proposed construction activity.

The information provided in this management plan regarding the proximity of the nest to the proposed construction activity, coupled with the safeguards in place through the implementation of the monitoring plan, provides reasonable assurance that no adverse impact to the nesting eagles can be expected from the proposed construction activity.

Charlotte County

Project Area

-Legend-

Project Boundary (± 349.10 acres)

Kimley»Horn

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1777 Main St Suite 200, Sarasota, FL 34236
Phone (941)- 379 7600
www.kimley-horn.com

Client: Neal Communities Inc.
Project: Firelight North
Location: Charlotte County
STR: Sec: 16, 21 Twp: 34S Rng: 17E
Title: Location Map
Source: ESRI Street Map

Drawn By: GD
Date: 11/22/2023

SCALE 1" = 1500'

0 2,000 4,000 Feet





Kimley-Horn

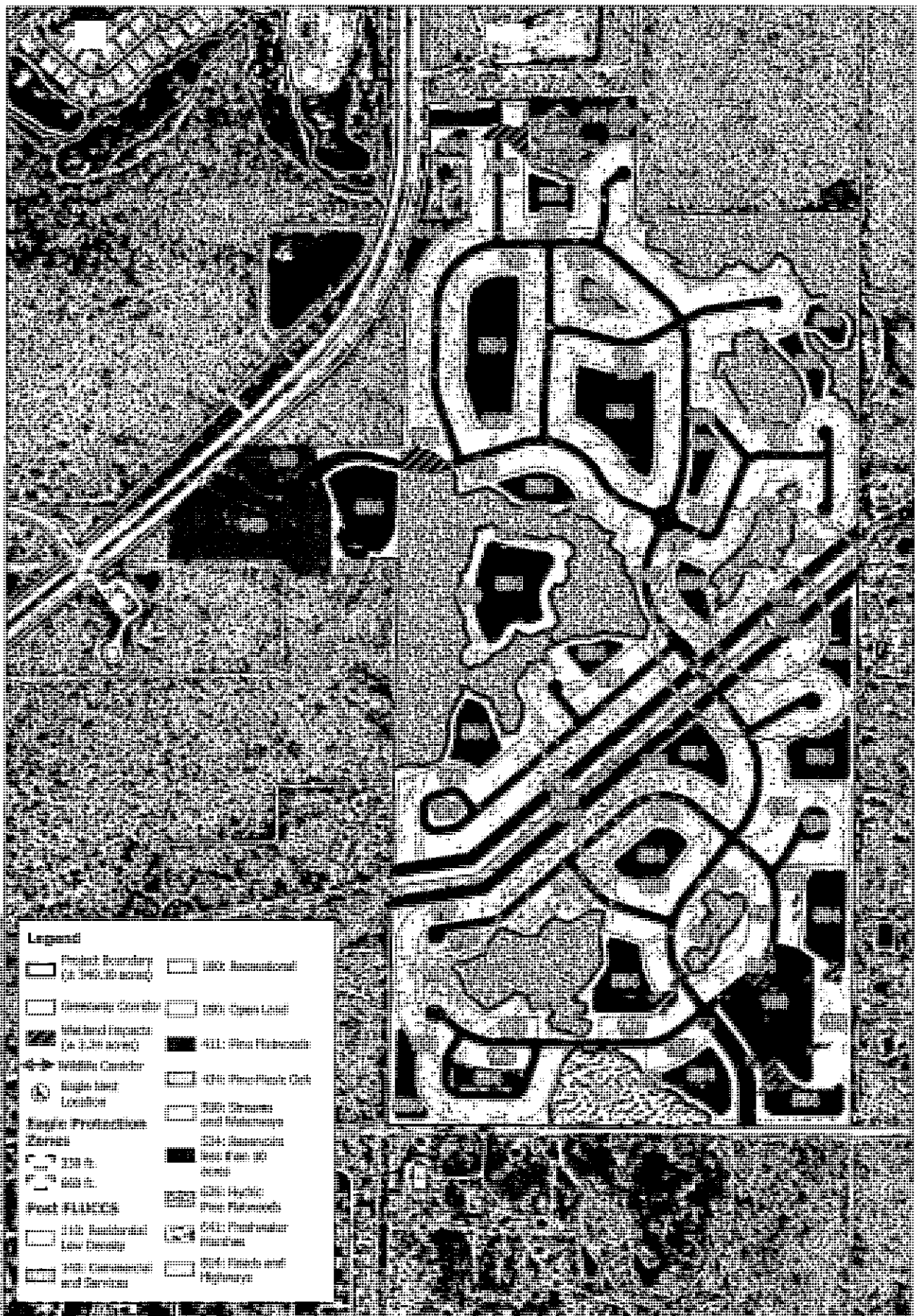
45 2024 Kimley-Horn, Inc. All Rights Reserved. Inc.
10000 South of State Road 100, Orlando, FL 32836
Phone: (407) 312-1000
www.kimley-horn.com

Client: Neal Communities Inc.
Project: Flightline North
Location: Charlotte County
SYR: Sec: 06, 21 Twp: 34S Rng: 17E
Title: Single Nest Location Map
Source: Neatmap WMS, FMC

Drawn By: GD
Date: 06/06/24

SCALE 1" = 500'

0 500 1,000 Feet



Kimley-Horn

Kimley-Horn and Associates, Inc.
2000 West 10th Avenue, Suite 100, Denver, CO 80202
Phone: (303) 733-1100
www.kimley-horn.com

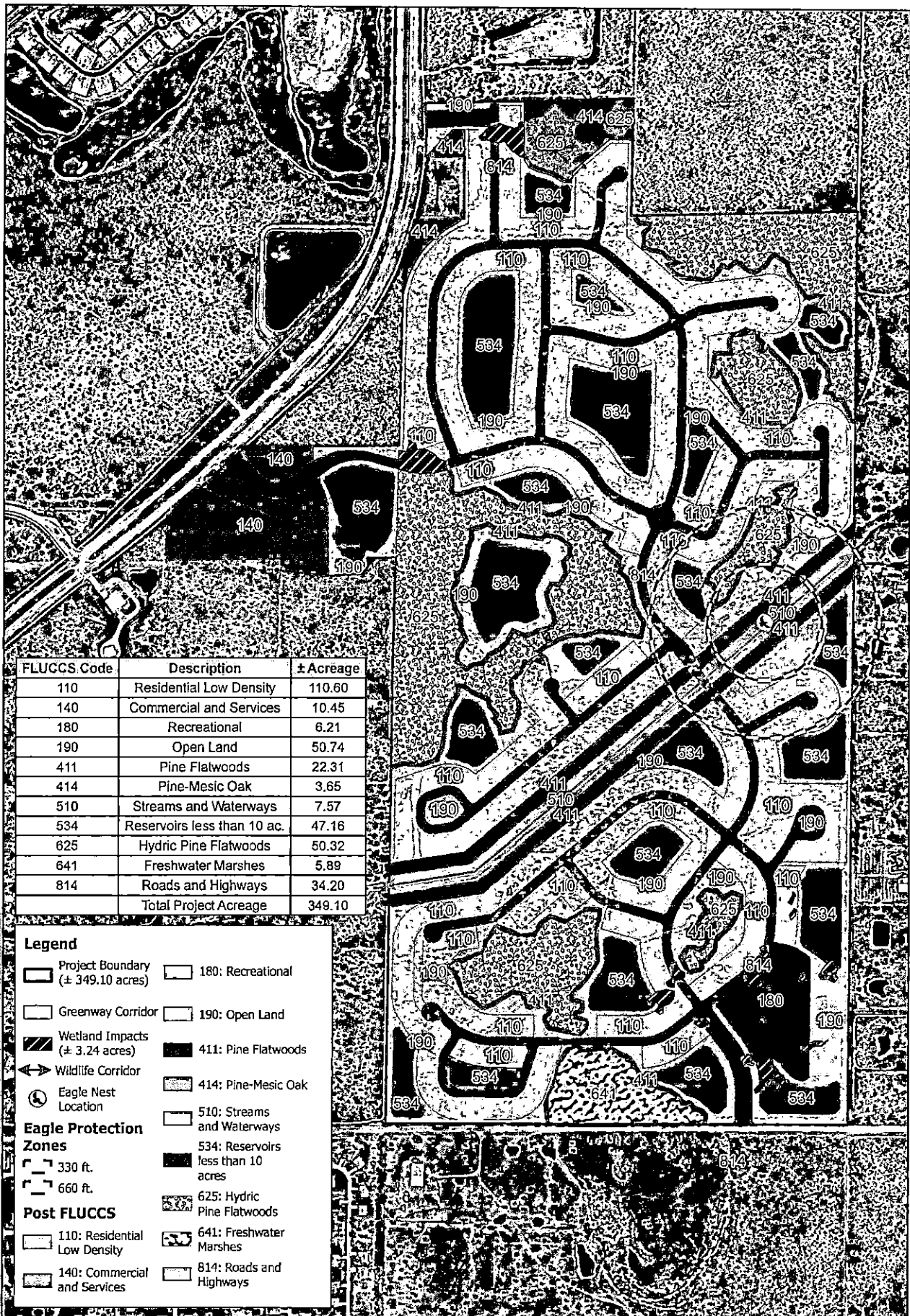
Client: Nourup Wildlife Refuge
Project: Bird Eagle Management Plan Map
Location: Charlotte County
BTR-200-10, 21 Top: 345 Ring: 175
Title: Bird Eagle Management Plan Map
Source: Nourup Wildlife (2004)

Drawn By: GED
Date: 7/10/2004

SCALE 1" = 500'

0 100 200 Feet





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1800 2nd St Suite 900, Sarasota, FL 34236
Phone (941)- 379 7600
www.kimley-horn.com

Client: Neal Communities Inc.
Project: Firelight North
Location: Charlotte County
STR:Sec: 16, 21Twp: 34S Rng: 17E
Title: Bald Eagle Management Plan Map
Source: Nearmap WMS (2023)

Drawn By: GD
Date: 7/9/2024

SCALE 1" = 500'

0 500 1,000 Feet





FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

September 30, 2024

Roger D. Eaton
Clerk of the Circuit Court
County Comptroller
Charlotte County
18500 Murdock Circle, Room 416
Port Charlotte, Florida 33948

Dear Roger Eaton,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2024-033, which was filed in this office on September 30, 2024.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/wlh



Ticket# 3938549-1
BCC Pg 1
5 x 15
Submitted by: Heather Bennett
Publish: 09/09/24
163352 3938551

**PUBLISHER'S AFFIDAVIT OF
PUBLICATION STATE OF FLORIDA COUNTY
OF CHARLOTTE:**

Before the undersigned authority personally appeared Amber Douglas, who on oath says that she is the Legal Advertising Representative of The Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

09/09/24

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signature of Affiant)

Sworn and subscribed before me this 9th day of
September, 2024

(Signature of Notary Public)



Personally known X OR Produced Identification

ROADWORK

Burnt Store Coalition thanks Lee County paving crew

Lee County commissioner praised for following up on resident concerns

STAFF REPORT

PUNTA GORDA — South Charlotte County residents are thanking Lee County workers for paving part of Burnt Store Road and shoring up an important storm evacuation route.



Fleming

The Burnt Store Corridor Coalition also praised Lee County Commissioner Kevin Ruane for hearing out its concerns and making Lee County aware of the situation.

"I am showed us all how vital that road is and area residents now have a sense of relief that the road will

be safe to use in case of a forced evacuation," Coalition Chair John Fleming stated in a news release.

The Coalition said residents on Burnt Store Road had "expressed concerns" for the past year about a 5.5-mile section of the road near the Charlotte-Lee County line.

The section in question connects to the Van Buren Parkway, which leads into northern Cape Coral.

"Burnt Store Road is the only evacuation route for the area and is vital to allowing residents to quickly leave should a natural disaster occur," the news release noted.

Lee County Commissioner Kevin Ruane met with representatives from the Coalition earlier in the summer, according to the release, and notified Lee County Transportation Director Robert Price to "make it a priority to address residents' concerns."

Germaine Hyatt, the Coalition's

Lee County representative, said a paving crew was dispatched to that section of the road Aug. 13.

"I was happily surprised that the first section of the road had been completed so quickly, and the rest would be done shortly, prior to the height of our hurricane season," Hyatt said in the news release.

The Daily Sun reached out to Charlotte County staff regarding plans for similar projects along Burnt Store Road within their jurisdiction, but emails were not returned.

Representatives of the Burnt Store Corridor Coalition said that they "look forward to working with Lee County as they continue to improve the safety and conditions of our roadways."

A future expansion of Burnt Store Road to four lanes is in its planning stages.

ENVIRONMENT

North Port's Greenest Citizen named

City Commission hands award to Jake Maurer

DANIEL FINTON
Staff Writer

NORTH PORT — Jake Maurer is North Port's Greenest Citizen. The North Port City Commission presented the annual Greenest Citizen Award to Maurer on Thursday at its meeting.

The city opened nominations for the prize back in April. The accolade is intended for a person who "has gone above and beyond to protect the environment by creating a more sustainable



SUN PHOTO BY DANIEL FINTON
Jake Maurer is the winner of the 2024 Greenest Citizen Award.

household or community," according to a city news release.

Maurer has done so by helping propagate plants around the city and helping others get involved.

He has given away hundreds of free plants to people.

Planting, he said, is his passion.

Originally from Pennsylvania, he said he had to forget pretty much everything he learned there about plants and gardening when he moved to North Port 10 years ago. Things are much different down south.

But despite those differences, he adapted and made an impact in the community.

Natural Resource Director Stefan Kalev told Maurer he was impressed with all the support he received, and said the city is very thankful for his efforts.

Maurer began a gardening program and refurbishes 70 gardens annually. Three of those are handicap-accessible, allowing people who use wheelchairs to enjoy gardening.

He also helped a homeowners association replant 600 trees that fell due to Hurricane Ian. Maurer and others counted every one that fell, identifying the species of each.

He has done all of this work voluntarily due to his love for plants.

Maurer has been gardening since he was a young child when he started planting pumpkins. Miraculously, the next morning grown ones would be in his yard.

Turned out, though, his mother would place fake ones to make her 6-year-old son feel good about his green thumb.

It all contributed to a man who has a longstanding passion for trees and plants.

Now for his efforts, yet another tree will be planted in his honor near North Port City Hall.

The city awards the title and plants tree to honor a "greenest" citizen every year.

NOTICE OF PUBLIC MEETING AND HEARING FOR ONE OR MORE OF THE FOLLOWING MATTERS: PROPOSED CHANGES TO THE FUTURE LAND USE MAP AND COMPREHENSIVE PLAN ELEMENTS, DEVELOPMENTS OF REGIONAL IMPACT OR CHANGES THERETO, REZONINGS, TRANSFER OF DENSITY UNITS (TDU), PRELIMINARY AND FINAL PLATS, DEVELOPER AGREEMENTS, STREET AND PLAT VACATIONS, DRC FINAL DETAIL PLANS OR CHANGES THERETO, TEXT AMENDMENTS AND STREET NAMING

A PUBLIC MEETING AND HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, SEPTEMBER 24, 2024, AT 2:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE MEETING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 119, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 1650N MURDOCK CIRCLE, PORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. ANY OF THESE PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

COPIES OF SAID PETITIONS WITH COMPLETE LEGAL DESCRIPTIONS AND SUBSEQUENT STAFF REPORTS WILL BE AVAILABLE FOR REVIEW AT THE CHARLOTTE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT AND ALL CHARLOTTE COUNTY PUBLIC LIBRARIES. A MEETING AGENDA AND PETITION PACKETS MAY BE REVIEWED AT THE FOLLOWING INTERNET ADDRESS: <http://www.charlottecountyfl.gov/boards-commission/planning-meeting-board/agenda.html>

ALL INTERESTED PERSONS ARE URGED TO ATTEND. THE PUBLIC IS WELCOME TO SPEAK. TIME LIMITS ARE SET BY BOARD RULES. IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARING(S). PLEASE CALL 941-764-4963 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

PETITION

LAND USE/CONSENT AGENDA

FP-23-01-01-B

Quasi-Judicial

Commission District II

D.R. Horrocks, Inc. is requesting Final Plat approval for a residential subdivision to be named, Coral Lakes - Phase 1A, as recorded in Plat Book 27, Pages 14A through 14Y of the Public Records of Charlotte County, Florida and is the second phase of a residential development that received Preliminary Plat approval from the Board of County Commissioners under FP-23-01-01 on June 13, 2023. The first phase, FP-23-01-01 Coral Lakes - Phase 1A, was approved by the Board on July 23, 2024. They also seek approval of a Developer's Agreement and survey to cover the construction of the plat infrastructure. This site contains 19.85+/- acres and is generally located north of Zemel Road, south of Schorn Road, east of Burnt Store Road, and west of Green Gulf Boulevard. The property is in the Punta Gorda area, within the boundary of the Burnt Store Area Plan area, and in Commission District II.

FP-23-03-05

Quasi-Judicial

Commission District II

IDG Call Cove, LLC is requesting Final Plat approval for a residential subdivision to be named, Call Cove, (F/N/A The Bend at Alligator Creek) consisting of 89 lots and eight tracts. The proposed subdivision is a residential development that received Preliminary Plat approval from the Board of County Commissioners under FP-23-03-05 on September 26, 2023. They also seek approval of a Developer's Agreement and survey to cover the construction of the plat infrastructure. The property contains 26.22+/- acres and is located at 5301 Taylor Road. The site is generally located north of Adine Road, southwest of Taylor Road, and west of Indian Springs Cemetery Road, within the Punta Gorda area, and in Commission District II.

CSZ-24-01

Quasi-Judicial

Commission District III

Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for certification of Sending Zones, including 12 planned lots in the Rotonda Springs subdivision, generally located northeast of Rotonda Trace and south of Robin Road, in the West County area, containing 3.29+/- acres, for calculation and severance of 12 density units in accordance with Section 3-9-150(d)(1)(b) (Transfer of Density Units) of the Code of Laws and Ordinances of Charlotte County, Florida; Petition No. CSZ-24-01; Applicant: Alligator Farms, LLC, Michael S. Jones, Manager, providing an effective date.

CSZ-24-03

Quasi-Judicial

Commission District III

Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for certification of Sending Zones, including ten planned lots in the Rotonda Springs subdivision, generally located northeast of Rotonda Trace and south of Robin Road, in the West County area, containing 3.29+/- acres, for calculation and severance of ten density units in accordance with Section 3-9-150(d)(1)(b) (Transfer of Density Units) of the Code of Laws and Ordinances of Charlotte County, Florida; Petition No. CSZ-24-03; Applicant: Alligator Farms, LLC, Michael S. Jones, Manager, providing an effective date.

CSZ-24-04

Quasi-Judicial

Commission District III

Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for certification of Sending Zones, including eight planned lots in the Rotonda Springs subdivision, generally located northeast of Rotonda Trace and south of Robin Road, in the West County area, containing 2.3+/- acres, for calculation and severance of eight density units in accordance with Section 3-9-150(d)(1)(b) (Transfer of Density Units) of the Code of Laws and Ordinances of Charlotte County, Florida; Petition No. CSZ-24-04; Applicant: Alligator Farms, LLC, Michael S. Jones, Manager, providing an effective date.

LAND USE/REGULAR AGENDA

FP-24-01

Quasi-Judicial

Commission District I

Lennar Homes, LLC is requesting Preliminary Plat approval for a subdivision to be named, Tuckers Cove - Phase 2, being a replat of a portion of Tract F-1 of Tuckers Cove, as recorded in Plat Book 27, Pages 7A through 7Z, of the Public Records of Charlotte County, Florida. The proposed subdivision consists of 505 residential lots and 7 tracts. This site contains 116.15+/- acres and is generally located south of Belmont Road, north of Babcock Trail, west of the County line with Glades County, and east of SR 31, in the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 2, within the East County area, and in Commission District I.

FP-24-02

Quasi-Judicial

Commission District I

Lennar Homes, LLC is requesting Preliminary Plat approval for a subdivision to be named, Webb's Reserve - Phase 2, being a replat of a portion of Tract F-3 of Webb's Reserve, as recorded in Plat Book 27, Pages 8A through 8Z, of the Public Records of Charlotte County, Florida. The proposed subdivision consists of 142 residential lots and 10 tracts. This site contains 58.85+/- acres and is generally located south of Belmont Road, north of Babcock Trail, west of the County line with Glades County, and east of SR 31, in the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 2, within the East County area, and in Commission District I.

PY-24-01

Legislative

Commission District III

ARK Holdings, LLC is requesting to vacate a portion of Rotonda Heights consisting of lots 1944 through 1952, lots 1955 through 1959, and lots 1973 through 1981, as recorded in Plat Book 8, Pages 26A through 26Z, of the Public Records of Charlotte County, Florida. The properties consist of 9.307+/- acres and are generally located north and west of Rotonda Boulevard West, south of Flower Road, east of Placida Road, in the Rotonda West and West County area, and located in Commission District III.

PD-23-00006

Quasi-Judicial

Commission District I

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Estate I (RE-I) to Planned Development (PD) in order to have a storage yard for Phase I in order to only store boats, recreational vehicles, trailers, and other non-commercial vehicles, and building trades contractor's yards in Phase II, for property generally located south of Old Landfill Road, east of Loveland Boulevard and Willie Drive, and southwest of the County owned East Port Water Plant, in the Port Charlotte area, containing 33.74+/- acres; Commission District I; Petition No. PD-23-00006; Applicant: 33 Acres Old Landfill Road LLC, providing an effective date.

PD-24-04

Quasi-Judicial

Commission District II

An Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Estate I (RE-I) (34.1+/- acres) and Planned Development (PD) (315+/- acres) to Planned Development (PD) in order to have a residential development up to 1,000 residential units (no change); adding a Land Use Equivalency Matrix for a mixture of residential and commercial development, and the maximum development rights would be 1,000 residential units with no commercial square footage, or a maximum of 100,000 square feet of commercial uses with 468 residential units, requiring transferring density of 779 units for residential development above the base density of 221 units; adopting a General PD Concept Plan, for property, including four parcels, three parcels located at 15162 and 15170 Burnt Store Road and 26000 Burnt Store Road, and one parcel generally located north of Zemel Road, south of Shotgun Road, and east of Burnt Store Road, in the boundary of the Burnt Store Area Plan area and in the Punta Gorda area, containing 349.1+/- acres; Commission District II; Petition No. PD-24-04; Applicant: Zemel Land Partners LLC, providing an effective date.

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. For Second Enforcement Unit for the Hearing Impaired are available at the Front Security Desk, Building A, of the Charlotte County Administration Center. Any person requesting a reasonable accommodation or auxiliary aids and services please contact our office at 941.764.4151, TDD/TTY 941.743.1234, or by email to: David.Lynch@CharlotteCountyFL.gov.

Published: September 9th, 2024



AREA NEWS BRIEF

Bridge work planned for Oceanspray Boulevard

ENGLWOOD EAST — Work on a bridge on Oceanspray Boulevard in Englewood East will mean intermittent lane closures, according to Charlotte County officials.

Work will begin Monday on the bridge over the March Waterway, between Rosemont and Regina drives.

Workers will be rehabilitating the bridge until Oct. 14.

Attachment 9

DRC Recommendation Letter



June 27, 2025

Zemel Land Partners, LLC
Attn: Michael Neal
5800 Lakewood Ranch Blvd.
Sarasota, FL. 34240

Re: DRC-25-078 Reverie at Firelight – General PD Concept Plan
Date: May 15, 2025, Site Plan Review agenda

County staff has reviewed the General PD Concept plan for Reverie at Firelight. The project consists of a proposed modification to the previously approved 894-unit residential planned development. The property is approximately 338 acres and is located south of Zemel Road, west of US 41 and east of Burnt Store Road. The project is a proposed 715-unit residential Planned Development. The project is located at 27001 Zemel Road, Punta Gorda 33955, and the Charlotte County Parcel ID is 422328200001. There will be one point of access to the site off Zemel Road and one connection to the adjacent property to the west via the proposed roundabout. This project site is 338± acres and is located at parcel # 422382000001, 27001 Zemel Rd, Punta Gorda, FL.

It is the decision of the Zoning Official to forward DRC-25-078 to the Board of County Commissioners with a recommendation of approval. The following comments must be met prior to submit Final Detail Site Plan:

1. Any encroachment into the FPL easement is the sole responsibility of the owner to obtain permission. I could not obtain the document for the 60' right-of-way shown on the survey as Book 48, Page 129. Items are not permitted in public road right-of-way.
2. Please be advised that the subject project will require Stormwater Plan Approval per Charlotte County Stormwater Management Ordinance No. 89-37 / County Code 3-5-111 to 3-5-123. The following link provides the Stormwater Plan Approval submittal procedures & requirements, and a downloadable Stormwater Plan Approval Application:
<https://www.charlottecountyfl.gov/departments/community-development/building-construction/permits/stormwater-permit.html>
Please call 941-575-3650 with any questions.
3. Site plan for review. Not enough level of detail to be able to provide comments. Subject to further review in future submittals and to the structures at time of building permitting. Any places of public accommodation require accessible parking.

4. All internal roadways will require street names. Please reach out to our addressing department to check for street name availability.
5. Rezone to PD. Must replat.
6. Roadways shall be at least 20' wide of clear space for fire department access.
7. Gates shall be installed with an EVAC System for emergency operation use.
8. Fire hydrant required within 800' between each fire hydrant.
9. Applicant must follow all conditions in Approved DRC-24-030.
10. If modifications to the approved Landscaping Plan are required, applicant must submit an updated (#20250101306) Tree Removal Application.
11. Landscaping, buffers, and tree requirements must be consistent with the conditions established in the PD rezoning and meet all applicable regulations of Section 3-9-100: Buffers, Landscaping, and Tree Requirements (informational comment). Proposed PD conditions have not been provided for review.
12. A full landscape plan will be required at time of PD Final Detail.
13. Prior to or at the time of building permit application, provide a completed Tree Permit Application as appropriate for this site, along with a tree inventory of location, types, sizes of trees overlaid on a site plan of the building, parking, and other site amenities. Identify the trees proposed to be removed and preserved. All trees to be preserved or removed must be in accordance with Section 3-9-100: Buffers, Landscaping, and Tree Requirements, of the County Code. Tree permits must be obtained prior to any land clearing/ fill activity or the issuance of any building permits (informational comment).
14. CCU approves the PD Concept plan. Full Utility plan submission/approval will be required prior to utility construction.
15. The proposed General PD Concept Plan may be required to be revised to be consistent with the proposed PD conditions during the PD rezoning process.

The General PD concept plan approval shall be valid until Final Detail Site Plan. Concept Plans are approved by the Board of County Commissioners.

Sincerely,

Shaun Cullinan

Shaun Cullinan
Planning and Zoning Official

Exhibit “A”

**Petition PD-25-10, Revisions to the PD Conditions
Established Via Ordinance Numbers 2023-019 & 2007-063**

This proposed development shall comply with all applicable requirements as set forth in Charlotte County's Code of Laws and Ordinances. In addition, the following shall apply:

- a. Development on the subject property shall occur as generally illustrated in the General PD Concept Plan (Attachment 1: Reverie At Firelight PD Concept Plan) submitted by the applicant, prepared by Banks Engineering Atwell, dated March 29, 2007 April 21, 2025, revised and signed October 22, 2025, and except such modifications as may be required to meet the conditions of the PD zoning district. In addition, the Site Plan Review comments of recommendation of approval per the letter dated June 27, 2025, are required to be met as applicable. Such General PD Concept Plan (DRC-25-078) shall be valid until a Final Detail Site Plan is approved per Section 3-9-45, Planned Development (PD). the Development Review Committee (DRC) conditions of approval per letter dated July 2, 2007 are required to be met. The open habitat space wetland/wetland buffer area shall be no less than 158.32 152.01± acres. The PD Concept Plan includes 34.44± acres of lake area. Areas indicated for single-family development and multi-family development will be developed as such. Revisions consistent with the notes on the approved PD Concept Plan shall be permitted. Residential development standards shall be as indicated on the PD Concept Plan, with minor modifications allowed only to increase lot sizes.
- b. The subject property currently retains 33 344 units of density. The applicant is proposing to develop a total of 894 715 units including 714 multi-family units and 180 single-family units. The mix of multi-family units and single-family units may be changed consistent with the PD Concept Plan. If more than 356 single family units are proposed, the applicant shall submit a revised Traffic Impact Statement and proportionate share analysis. Any residential development above 344 units shall require transferred density units. The subject property shall require 861 units of transferred density. The transfer of density units must be approved by the Board of County Commissioners subject to the County's Land Development Regulations 3-9-150: Transfer of Density Units, as may be amended, prior to Final Detail Site Plan or Preliminary Plat approval Preliminary Plat application or Final DRG application, whichever shall occur first.
- c. No development shall occur prior to Final DRC Detail Site Plan approval, which will be scheduled on the Board of County Commissioners land use consent agenda.
- d. Permitted uses and accessory uses.
 - i. Single-family homes attached or detached.
 - ii. Multi-family.
 - iii. Townhouse.
 - iv. Amenities such as clubhouse, community pool, tennis court or other similar non-commercial recreational uses and structures.
 - v. Community garden.
 - vi. Park, public or not-for-profit.

- vii. Accessory uses and structures. Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are permitted within this development, including, but not limited to:
- 1) Accessory structures, including, but not limited to, garages, carports and sheds.
 - 2) Fences or walls.
 - 3) Swimming pools, tennis court or other similar non-commercial recreational uses and structures.
- ~~c. The developer shall minimize impervious surfaces within the development wherever practicable.~~
- ~~d.e.~~ A development time line and phasing plan for the entire PD shall be submitted prior to Final DRC-Detail Site Plan approval. A monitoring report shall be submitted annually from the day of Final DRC-Detail Site Plan approval until buildout, identifying the development activities which occurred during the past year and summarizing current and previous year statistics (as applicable).
- ~~e.f.~~ The maximum building height for residential development is 38 feet from the base flood elevation. The maximum building height within the recreation area is 40-38 feet from the base flood elevation.
- ~~f.g.~~ The roadways for this development shall be constructed to Charlotte County standards. If the roadways for this development are to be private, following Final DRC-Detail Site Plan approval, the developer, and subsequently, the homeowner's association the Firelight East Community Development District, is required to maintain all private roads within the development area.
- ~~g.h.~~ The development must utilize potable water and sanitary sewer utilities. The potable water and sanitary sewer lines must be connected to the site before any certificates of occupancy shall be issued. The developer must also extend re-used water utility lines along with the potable water and sanitary sewer lines throughout the development. A developer's agreement with Charlotte County Utilities for the extension of potable water, sanitary sewer, and re-use lines must be approved by the Board of County Commissioners prior to the final DRC application for any phase of development.
- ~~h.i.~~ The site shall be developed with a unified landscaping theme. Only Florida Friendly plantings and/or xeriscaping shall be allowed for landscape plantings within the common areas. The developer shall also make every effort to ensure that residential property owners within the development also utilize Florida Friendly plantings and xeriscape landscaping. The applicant shall institute an education program for all homeowners on the correct use of pesticides, herbicides, and fertilizers. A partnership with the Cooperative Extension Service of the University of Florida to interact with the Florida Yards and Neighborhoods program is encouraged. Only natural organic or other slow release forms of fertilizers shall be utilized throughout the development.
- ~~i.~~ All landscaping must be irrigated as necessary to ensure survival. When made available by the Utility, non-potable water shall be utilized for common area and private irrigation throughout the development. The developer is encouraged to construct grey water retention basins on site if at all possible. The developer, a

~~homeowner's association, community development district or similar entity, is required to maintain all common areas within the development area.~~

- j. ~~The development must comply with Chapter 3-2, Article IX, Tree Requirements, of the Charlotte County Code. All heritage trees shall be preserved unless the applicant can provide substantial evidence that such preservation will cause the development of the site to be severely hindered. Should any heritage tree be removed, the applicant will plant a sufficient number of trees of the same species to equal the girth of the tree removed. These trees will not be counted as part of the points needed for development but in addition to those trees needed for points.~~
- k. Habitat management plan (Attachment 2: Native Habitat Management Plan) shall be implemented to make sure that the onsite wetland identified as "wetland area" on the General PD Concept Plan (Attachment 1) shall be restored and preserved in perpetuity~~The developer shall maintain hydrogeology to all of the wetlands. The project must comply with Chapter 3-5, Article XV, Upland Buffer Zone requirements of the County Code. A naturally vegetated upland buffer zone shall be preserved along the perimeter of all wetlands and natural surface waters to the edge of development. The buffer shall be a minimum of fifteen (15) feet and average twenty-five (25) feet in width as measured from the landward limit of the wetland or surface water. Signage as shown on the proposed habitat management plan (Attachment 2: Native Habitat Management Plan) shall be required to advise residents of the conservation status of the preserves and such signs shall be identified on the Final Detail Site Plan and be placed along the perimeter of the preserves, particularly where they abut development.~~
- ~~l. A Conservation Easement preserving in perpetuity all wetlands and associated buffer uplands in the area shall be granted to the County or the Southwest Florida Water Management District. A copy of the easement shall be sent to the County Attorney's Office and Comprehensive Planning Section of the Community Development Department for review and approval prior to being filed with the Clerk of the Circuit Court. The filing shall be completed prior to Preliminary Plat application or Final DRC application, whichever shall occur first.~~
- l. There shall be one full access entrance located on Zemel Road, and one pedestrian/vehicle access to the property located immediately to the west, which are shown on the General PD Concept Plan (Attachment 1). An emergency access point on Zemel Road is required unless one pedestrian/vehicle access to the property located immediately to the west is built and provides an alternative access to Zemel Road. The exact locations for these access points will be determined during the Final Detail Site Plan review stage. With respect to the site related improvements and other items, County Transportation staff reserve the right to make additional comments at the time of Final Detail Site Plan review.
- m. Prior to Final Detail Site Plan approval, the applicant shall be required to meet concurrency per Article XIV. Concurrency Management. As to transportation concurrency, the applicant shall be required to account for project traffic and previously approved developments which have reserved capacity in the roadway level of service analysis. If the level of service (LOS) falls below the adopted minimum standard due to the proposed development traffic, a proportionate share analysis may be required to satisfy concurrency.~~A developer's agreement to fund~~

~~the widening the Burnt Store Road shall be finalized and approved prior to the final DRG application for any phase of development.~~

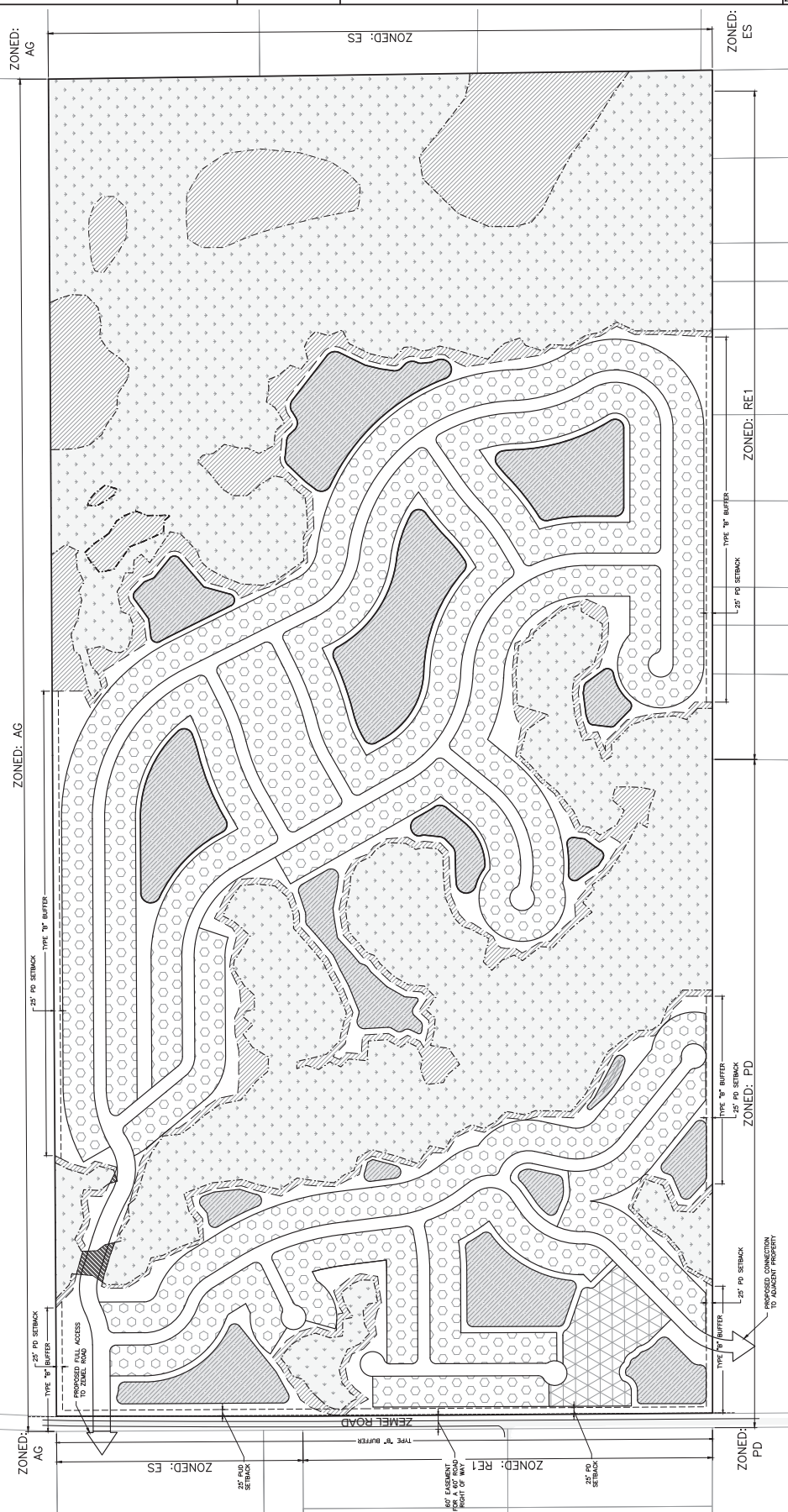
~~m.n.~~ At the Final Detail Site Plan for any phase of the development submittal, the developer shall prepare an updated traffic impact study to include a signal warrant at the intersection of Burnt Store Road and Zemel Road. If signal warrants are met at the intersection of Burnt Store Road and Zemel Road, and before a certificate of occupancy for any project phase can be issued, the traffic signal development shall be memorialized in a developer's agreement acceptable to the County.

~~n.o.~~ Landscaping and Buffer requirements:

- i. At a minimum, the 25-foot PD setback for the property boundary adjacent to Zemel Road shall be landscaped.
- ii. At a minimum, a type B buffer must be placed within the 25-foot PD setback along the northern, eastern, and western portion of the property lines except for wetland area which are adjacent to the property zoned AE.
- iii. At a minimum, a type B Buffer must be placed within the multi-family development area which is adjacent to internal single-family development.
- iv. At a minimum, a type C buffer must be provided around the recreation area as it considered to be similar to an "active use park". ~~The applicant must comply with Chapter 3-5, Article XVIII, Landscaping and Buffer Requirements, of the County Code.~~
- v. ~~The developer is required to remove exotic/nuisance species from the subject property.~~
- ~~o.~~ ~~The developer shall obtain stormwater approval prior to final DRG approval. Applicable SWFWMD and Army Corp. permits must be obtained prior to the commencement of development. All stormwater facilities must be designed to protect groundwater and surface water resources.~~
- p. The developer is required to provide a sidewalk throughout the subject site, with a minimum width of five (5) feet along at least one side of all internal roadways. An eight (8)-foot wide bicycle/pedestrian trail is required along the northern property line on Zemel Road or enter into an agreement with the County addressing the sidewalk construction or payment in lieu of construction. All sidewalks shall be shown on Final Detail Site Plan. The developer shall coordinate with the Department of Public Works. ~~The sidewalk must be completed at the time of the 50% completion of the residential development.~~
- q. ~~The recreation amenity~~ areas shall be a total of 7.443.62± acres and will contain a clubhouse with a swimming pool together with other amenities such as a basketball court, tennis courts, and a parking area. The final design of the ~~recreation amenity~~ area shall be determined at Final Detail Site Plan approval. The clubhouse shall be built to the highest wind-bearing loads required by Charlotte County and will be made available for use as a post-storm hurricane refuge to the proposed neighborhood following a natural disaster. It is understood that the clubhouse will not be able to accommodate all residents of the community.
- r. Regarding the school concurrency issues:
 - i. If the school concurrency process is still required under a valid interlocal agreement, prior to Final Detail Site Plan or Final Plat approval for any residential development for any Phases, the applicant/property owner must

- obtain a School Concurrency Availability Determination Letter (SCADL) from Charlotte County Public Schools (CCPS) indicating that sufficient capacity exists or has been accounted for through a binding and enforceable agreement with CCPS to address school concurrency.
- ~~q.ii.~~ If an agreement is required, the terms of the agreement shall be incorporated into the Planned Development Final Detail Site Plan approval and shall not constitute a major modification.
- ~~r.~~ The applicant shall work with the Charlotte County Public Schools Transportation Department to provide a bus stop(s) and shelter(s) for the community. Should the pick up and drop off point be located at the entrance of the development, the developer shall allow for sufficient room for a parent drop-off and bus pick-up along with an adequate me□s for traffic circulation at the entrance. A shelter for the children is required at the pick-up area(s). This addition must be shown on the Final DRC plan for approval.
- ~~s.~~ Any changes in the Concept Plan must receive a recommendation from the Natural Resources Planning Section and the Comprehensive Planning Section.
- ~~The developer shall install a sign at the end of the cul-de-sac in the northwest corner of the project informing residents that, in the future, a connection may be provided to the properties to the west of the site.~~

Attachment 1
General PD Concept Plan
Reverie At Firelight PD Concept Plan



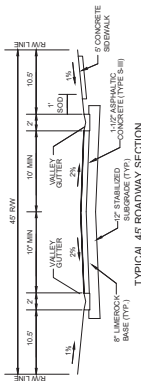
LEGEND

[illegible]

DEVELOPMENT STANDARDS:

5) OPEN SPACE

SITE PLAN SUMMARY

[illegible]

Attachment 2
Native Habitat Management Plan

t

Native Habitat Management Plan

Reverie at Firelight

October 2025

Introduction

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.

The subject property is approximately 338.02 acres in size and is located east of Burnt Store Road and south of Zemel Road in Section 28, Township 42S, and Range 23E, Charlotte County. The project area in its current state is comprised of pine flatwoods habitats, shrub and brushland, wet prairie wetlands, hydric pine flatwoods, exotic wetlands, and wax myrtle willow wetlands.

I. Baseline Environmental Assessment

Preservation areas within the project are depicted on the attached habitat map. The wetland and upland habitats identified on this parcel are categorized using nomenclature found in the most recent edition of the Florida Department of Transportation's Florida Land Use Cover and Forms Classification System (FLUCCS).

II. Prohibited and Permissible Activities

Filling, dumping, construction of buildings, roads, billboards or other advertising, excavating, alternation, trimming, or removal of native vegetation within the preservation area will be prohibited except for restoration activities consistent with natural areas conservation management, the removal of dead trees and shrubs or leaning trees that could cause property damage, and activities conducted in accordance with a prescribed burn plan developed with the Florida Forest Service. For areas where the preserve abuts development, signage will be installed in the preserve stating no dumping, filling, etc.

III. Wildlife Protection

Any maintenance occurring in preservation areas will be conducted with consideration of listed species or wildlife utilization. Such protective measures may include pre-management censuses to identify the location of any listed species and their nests and/or burrows to avoid impacting them. If a listed species is observed nesting and/or denning during maintenance activities, the maintenance activities in that area will cease until the species in question vacates the area or an appropriate environmental professional or regulatory agency is contacted to provide additional guidance.

IV. Native Habitat Preservation and Management

A maintenance plan shall be implemented to ensure that the preserve area remain relatively free (<5% aerial coverage) of exotic and nuisance vegetation species and maintain a minimum 80% aerial coverage of desirable native vegetation 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.

V. Fortuitous Finds Policy

Land management activities will adhere to federal, state and local regulations regarding any historic resources found on site.

If evidence of the existence of historic resources is discovered or observed at development sites or during development activities after final approval, all work shall cease in the area of effect as determined by the Historical Advisory Committee. The developer, owner, contractor, or agent thereof shall notify the Historical Advisory immediately after finding any artifact of historical significance. Examples of such evidence include human remains, whole or fragmentary stone tools, shell tools, aboriginal or historic pottery, historic glass, historic bottles, bone tools, historic building foundations, shell mounds, shell middens, or sand mounds. The Director shall assess the significance of the finds within three working days of notification and suggest methods to mitigate any adverse effects so as to minimize delays in development activities.

If any human skeletal remains or associated burial artifacts are discovered at development sites or during development activity, all work in the area must cease, and the permittee must notify the nearest law enforcement office immediately and notify the Historical Committee.

VI. 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 5 years. If, at the end of five years, the preservation areas have met or exceeded the success criteria described above, monitoring requirement for the preservation area 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 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 area shall be at the sole expense of the property owners or developer.

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

- Qualitative overview of vegetation 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 of future remediation

Monitoring reports will be provided to the County within 45 days of the monitoring inspection events, unless an extension by Charlotte County is granted.

If you have any questions or if I can provide any additional clarification please feel free to contact me at 941-404-1639 and chris.kennedy@kimley-horn.com.

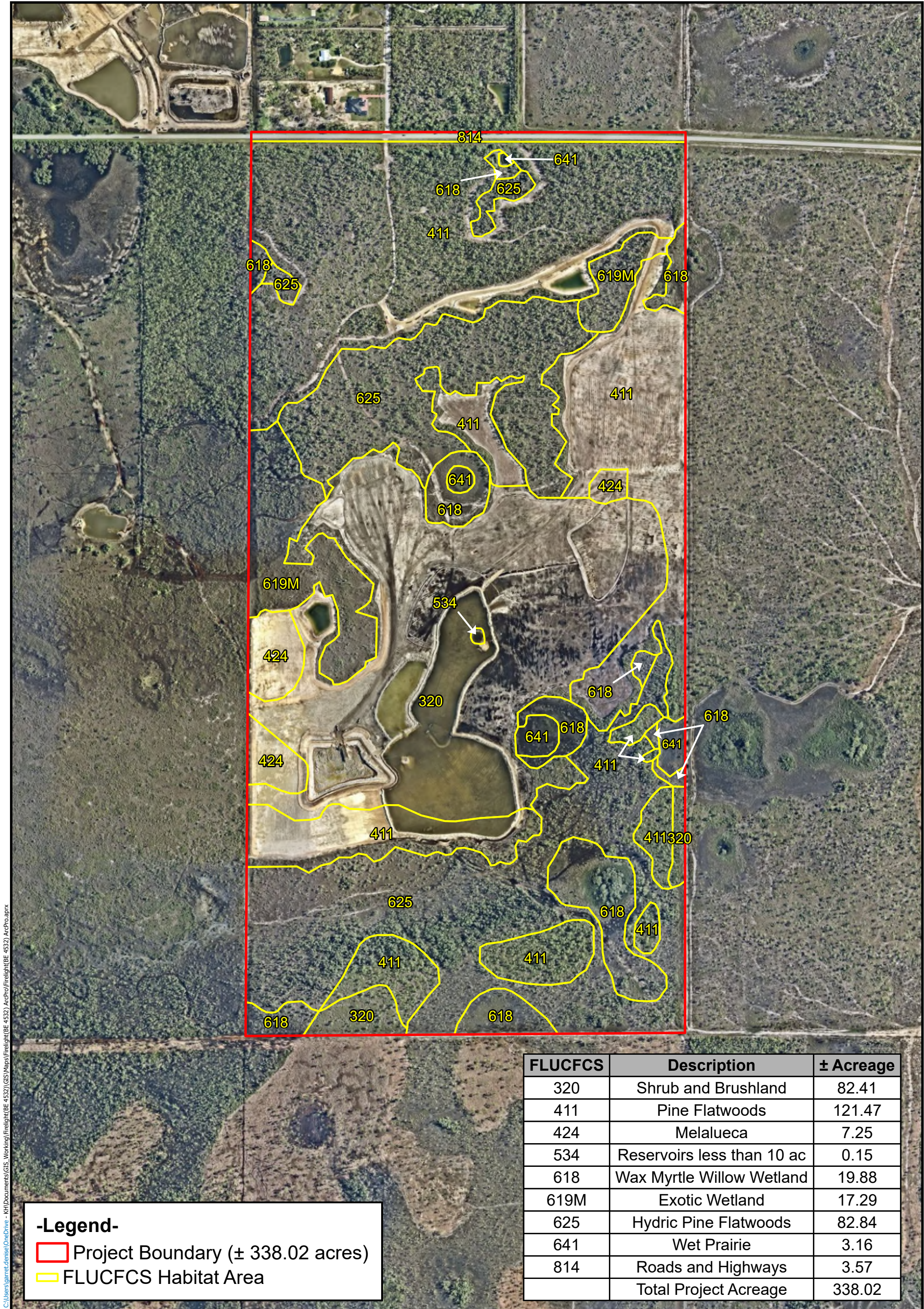


Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Kennedy".

Chris Kennedy
Environmental Scientist

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FLUCFCS	Description	± Acreage
320	Shrub and Brushland	82.41
411	Pine Flatwoods	121.47
424	Melalueca	7.25
534	Reservoirs less than 10 ac	0.15
618	Wax Myrtle Willow Wetland	19.88
619M	Exotic Wetland	17.29
625	Hydric Pine Flatwoods	82.84
641	Wet Prairie	3.16
814	Roads and Highways	3.57
	Total Project Acreage	338.02

-Legend-

Project Boundary (± 338.02 acres)

FLUCFCS Habitat Area

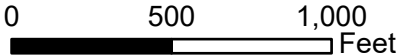
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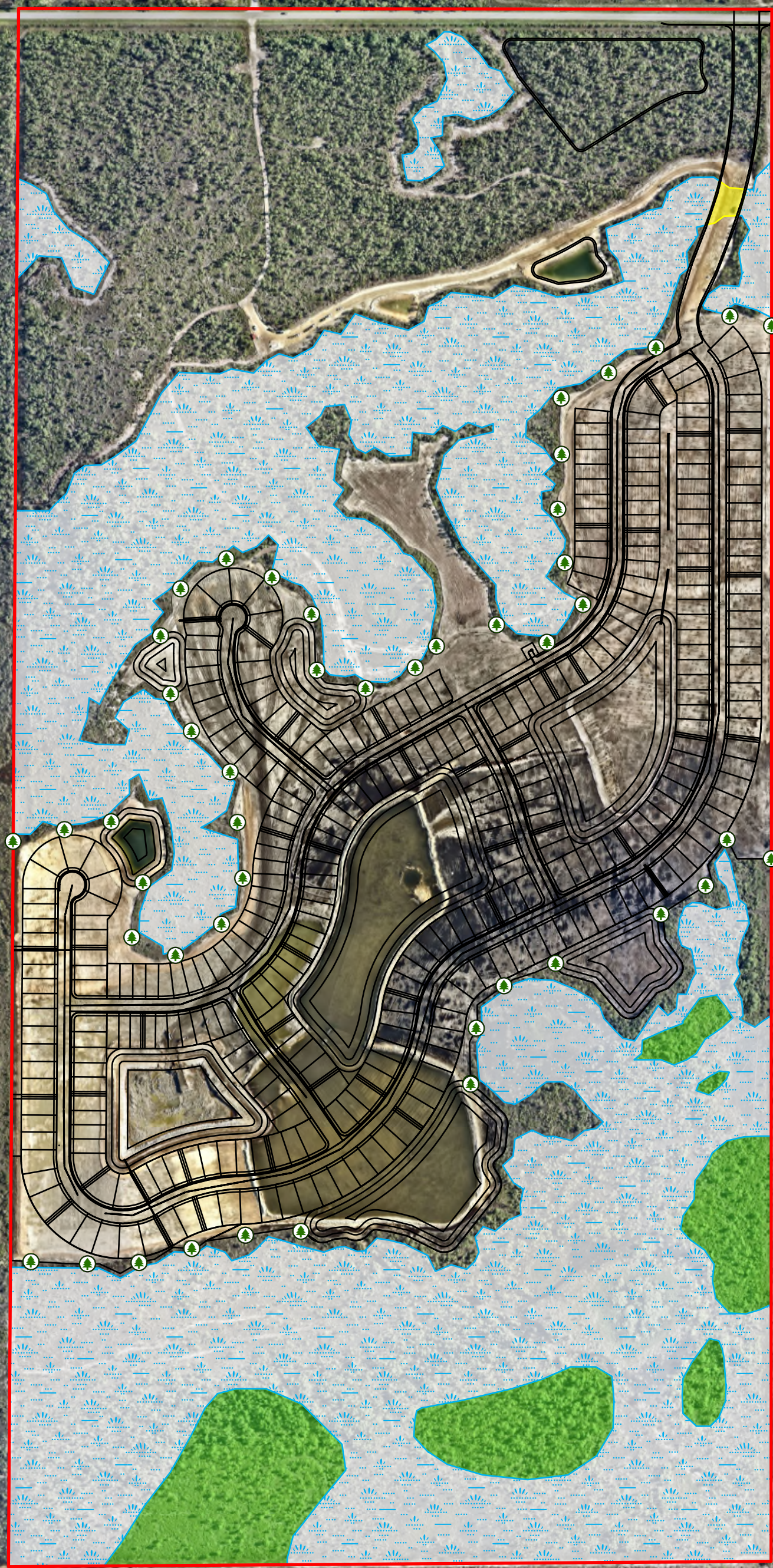
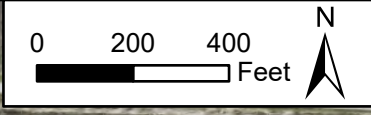
© 2024 Kimley-Horn and Associates Inc.
1800 2nd St Suite 900, Sarasota, FL 34236
Phone (941)- 379 7600
www.kimley-horn.com

Client: Neal Communities Inc.
Project: Reverie at Firelight
Location: Charlotte County
STR:Sec: 28, 21Twp: 42S Rng: 23E
Title: FLUCFCS Habitat Map
Source: Nearmap 2023, FWC

Drawn By: GD
Date: 10/21/2025

SCALE: 1" = 600'





Sign size shall be no smaller than 4 inches by 6 inches and in a minimum font size of 28 shall include the following or equivalent statement:
**PRESERVE/CONSERVATION/BUFFER AREA
NO MOWING. NO TRIMMING. NO CLEARING. NO DUMPING.**

- Legend
- Preserve/Conservation/
Buffer Area Signage
-
- Development Linework

 Project Boundary
(± 338.02 acres) Wetland Preservation
(± 123.54 acres) Wetland Impacts
(± 0.27 acres) Upland Preservation
(± 17.44 acres)

Folder: C:\Users\garret.denis\OneDrive - KHD\Documents\GIS_Working\Firelight\BE 4532\GIS\Maps\Firelight\BE 4532) ArcPro

**Petition PD-25-10, Revisions to the PD Conditions
Established Via Ordinance Numbers 2023-019 & 2007-063**

This proposed development shall comply with all applicable requirements as set forth in Charlotte County's Code of Laws and Ordinances. In addition, the following shall apply:

- a. Development on the subject property shall occur as generally illustrated in the General PD Concept Plan (Attachment 1: Reverie At Firelight PD Concept Plan) submitted by the applicant, prepared by Atwell, dated April 21, 2025, revised and signed October 22, 2025, and except such modifications as may be required to meet the conditions of the PD zoning district. In addition, the Site Plan Review comments of recommendation of approval per the letter dated June 27, 2025, are required to be met as applicable. Such General PD Concept Plan (DRC-25-078) shall be valid until a Final Detail Site Plan is approved per Section 3-9-45, Planned Development (PD). The wetland/wetland buffer area shall be no less than 152.01± acres. .
- b. The subject property currently retains 344 units of density. The applicant is proposing to develop a total of 715 units. Any residential development above 344 units shall require transferred density units.. The transfer of density units must be approved by the Board of County Commissioners subject to the County's Land Development Regulations 3-9-150: Transfer of Density Units, as may be amended, prior to Final Detail Site Plan or Preliminary Plat approval , whichever shall occur first.
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 - v. Community garden.
 - vi. Park, public or not-for-profit.
 - vii. Accessory uses and structures. Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are permitted within this development, including, but not limited to:
 - 1) Accessory structures, including, but not limited to, garages, carports and sheds.
 - 2) Fences or walls.
 - 3) Swimming pools, tennis court or other similar non-commercial recreational uses and structures.
- e. A development time line and phasing plan for the entire PD shall be submitted prior to Final Detail Site Plan approval. A monitoring report shall be submitted annually from the day of Final Detail Site Plan approval until buildout, identifying the development activities which occurred during the past year and summarizing current and previous year statistics (as applicable).

- f. The maximum building height for residential development is 38 feet from the base flood elevation. The maximum building height within the recreation area is 38 feet from the base flood elevation.
- g. The roadways for this development shall be constructed to Charlotte County standards. If the roadways for this development are to be private, following Final Detail Site Plan approval, the Firelight East Community Development District is required to maintain all private roads within the development area.
- h. The development must utilize potable water and sanitary sewer utilities. The potable water and sanitary sewer lines must be connected to the site before any certificates of occupancy shall be issued. The developer must also extend re-used water utility lines along with the potable water and sanitary sewer lines throughout the development.
- i. The site shall be developed with a unified landscaping theme. The developer shall also make every effort to ensure that residential property owners within the development also utilize Florida Friendly plantings. The applicant shall institute an education program for all homeowners on the correct use of pesticides, herbicides, and fertilizers. A partnership with the Cooperative Extension Service of the University of Florida to interact with the Florida Yards and Neighborhoods program is encouraged.
- j. All heritage trees shall be preserved unless the applicant can provide substantial evidence that such preservation will cause the development of the site to be severely hindered. Should any heritage tree be removed, the applicant will plant a sufficient number of trees of the same species to equal the girth of the tree removed. These trees will not be counted as part of the points needed for development but in addition to those trees needed for points.
- k. Habitat management plan (Attachment 2: Native Habitat Management Plan) shall be implemented to make sure that the onsite wetland identified as "wetland area" on the General PD Concept Plan (Attachment 1) shall be restored and preserved in perpetuity. A naturally vegetated upland buffer zone shall be preserved along the perimeter of all wetlands and natural surface waters to the edge of development. The buffer shall be a minimum of fifteen (15) feet and average twenty-five (25) feet in width as measured from the landward limit of the wetland or surface water. Signage as shown on the proposed habitat management plan (Attachment 2: Native Habitat Management Plan) shall be required to advise residents of the conservation status of the preserves and such signs shall be identified on the Final Detail Site Plan and be placed along the perimeter of the preserves, particularly where they abut development.
- l. There shall be one full access entrance located on Zemel Road, and one pedestrian/vehicle access to the property located immediately to the west, which are shown on the General PD Concept Plan (Attachment 1). An emergency access point on Zemel Road is required unless one pedestrian/vehicle access to the property located immediately to the west is built and provides an alternative access to Zemel Road. The exact locations for these access points will be determined during the Final Detail Site Plan review stage. With respect to the site related improvements and other items, County Transportation staff reserve the right to make additional comments at the time of Final Detail Site Plan review.

- m. Prior to Final Detail Site Plan approval, the applicant shall be required to meet concurrency per Article XIV. Concurrency Management. As to transportation concurrency, the applicant shall be required to account for project traffic and previously approved developments which have reserved capacity in the roadway level of service analysis. If the level of service (LOS) falls below the adopted minimum standard due to the proposed development traffic, a proportionate share analysis may be required to satisfy concurrency.
- n. At the Final Detail Site Plan for any phase of the development submittal, the developer shall prepare an updated traffic impact study to include a signal warrant at the intersection of Burnt Store Road and Zemel Road. If signal warrants are met at the intersection of Burnt Store Road and Zemel Road, and before a certificate of occupancy for any project phase can be issued, the traffic signal development shall be memorialized in a developer's agreement acceptable to the County.
- o. Landscaping and Buffer requirements:
 - i. At a minimum, the 25-foot PD setback for the property boundary adjacent to Zemel Road shall be landscaped.
 - ii. At a minimum, a type B buffer must be placed within the 25-foot PD setback along the northern, eastern, and western portion of the property lines except for wetland area which are adjacent to the property zoned AE.
 - iii. At a minimum, a type B Buffer must be placed within the multi-family development area which is adjacent to internal single-family development.
 - iv. At a minimum, a type C buffer must be provided around the recreation area as it considered to be similar to an "active use park".
- p. The developer is required to provide a sidewalk throughout the subject site, with a minimum width of five feet along at least one side of all internal roadways. An eight foot wide bicycle/pedestrian trail is required along the northern property line on Zemel Road or enter into an agreement with the County addressing the sidewalk construction or payment in lieu of construction. All sidewalks shall be shown on Final Detail Site Plan. The developer shall coordinate with the Department of Public Works..
- q. The amenity area shall be a total of 3.62± acres and will contain a clubhouse with a swimming pool together with other amenities such as a basketball court, tennis courts, and a parking area. The final design of the amenity area shall be determined at Final Detail Site Plan approval. The clubhouse shall be built to the highest wind-bearing loads required by Charlotte County and will be made available for use as a post-storm hurricane refuge to the proposed neighborhood following a natural disaster. It is understood that the clubhouse will not be able to accommodate all residents of the community.
- r. Regarding the school concurrency issues:
 - i. If the school concurrency process is still required under a valid interlocal agreement, prior to Final Detail Site Plan or Final Plat approval for any residential development for any Phases, the applicant/property owner must obtain a School Concurrency Availability Determination Letter (SCADL) from Charlotte County Public Schools (CCPS) indicating that sufficient capacity exists or has been accounted for through a binding and enforceable agreement with CCPS to address school concurrency.

- ii. If an agreement is required, the terms of the agreement shall be incorporated into the Planned Development Final Detail Site Plan approval and shall not constitute a major modification.

Attachment 1
General PD Concept Plan
Reverie At Firelight PD Concept Plan

Attachment 2

Native Habitat Management Plan

Native Habitat Management Plan

Reverie at Firelight

October 2025

Introduction

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.

The subject property is approximately 338.02 acres in size and is located east of Burnt Store Road and south of Zemel Road in Section 28, Township 42S, and Range 23E, Charlotte County. The project area in its current state is comprised of pine flatwoods habitats, shrub and brushland, wet prairie wetlands, hydric pine flatwoods, exotic wetlands, and wax myrtle willow wetlands.

I. Baseline Environmental Assessment

Preservation areas within the project are depicted on the attached habitat map. The wetland and upland habitats identified on this parcel are categorized using nomenclature found in the most recent edition of the Florida Department of Transportation's Florida Land Use Cover and Forms Classification System (FLUCCS).

II. Prohibited and Permissible Activities

Filling, dumping, construction of buildings, roads, billboards or other advertising, excavating, alternation, trimming, or removal of native vegetation within the preservation area will be prohibited except for restoration activities consistent with natural areas conservation management, the removal of dead trees and shrubs or leaning trees that could cause property damage, and activities conducted in accordance with a prescribed burn plan developed with the Florida Forest Service. For areas where the preserve abuts development, signage will be installed in the preserve stating no dumping, filling, etc.

III. Wildlife Protection

Any maintenance occurring in preservation areas will be conducted with consideration of listed species or wildlife utilization. Such protective measures may include pre-management censuses to identify the location of any listed species and their nests and/or burrows to avoid impacting them. If a listed species is observed nesting and/or denning during maintenance activities, the maintenance activities in that area will cease until the species in question vacates the area or an appropriate environmental professional or regulatory agency is contacted to provide additional guidance.

IV. Native Habitat Preservation and Management

A maintenance plan shall be implemented to ensure that the preserve area remain relatively free (<5% aerial coverage) of exotic and nuisance vegetation species and maintain a minimum 80% aerial coverage of desirable native vegetation 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.

V. Fortuitous Finds Policy

Land management activities will adhere to federal, state and local regulations regarding any historic resources found on site.

If evidence of the existence of historic resources is discovered or observed at development sites or during development activities after final approval, all work shall cease in the area of effect as determined by the Historical Advisory Committee. The developer, owner, contractor, or agent thereof shall notify the Historical Advisory immediately after finding any artifact of historical significance. Examples of such evidence include human remains, whole or fragmentary stone tools, shell tools, aboriginal or historic pottery, historic glass, historic bottles, bone tools, historic building foundations, shell mounds, shell middens, or sand mounds. The Director shall assess the significance of the finds within three working days of notification and suggest methods to mitigate any adverse effects so as to minimize delays in development activities.

If any human skeletal remains or associated burial artifacts are discovered at development sites or during development activity, all work in the area must cease, and the permittee must notify the nearest law enforcement office immediately and notify the Historical Committee.

VI. 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 5 years. If, at the end of five years, the preservation areas have met or exceeded the success criteria described above, monitoring requirement for the preservation area 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 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 area shall be at the sole expense of the property owners or developer.

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

- Qualitative overview of vegetation 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 of future remediation

Monitoring reports will be provided to the County within 45 days of the monitoring inspection events, unless an extension by Charlotte County is granted.

If you have any questions or if I can provide any additional clarification please feel free to contact me at 941-404-1639 and chris.kennedy@kimley-horn.com.

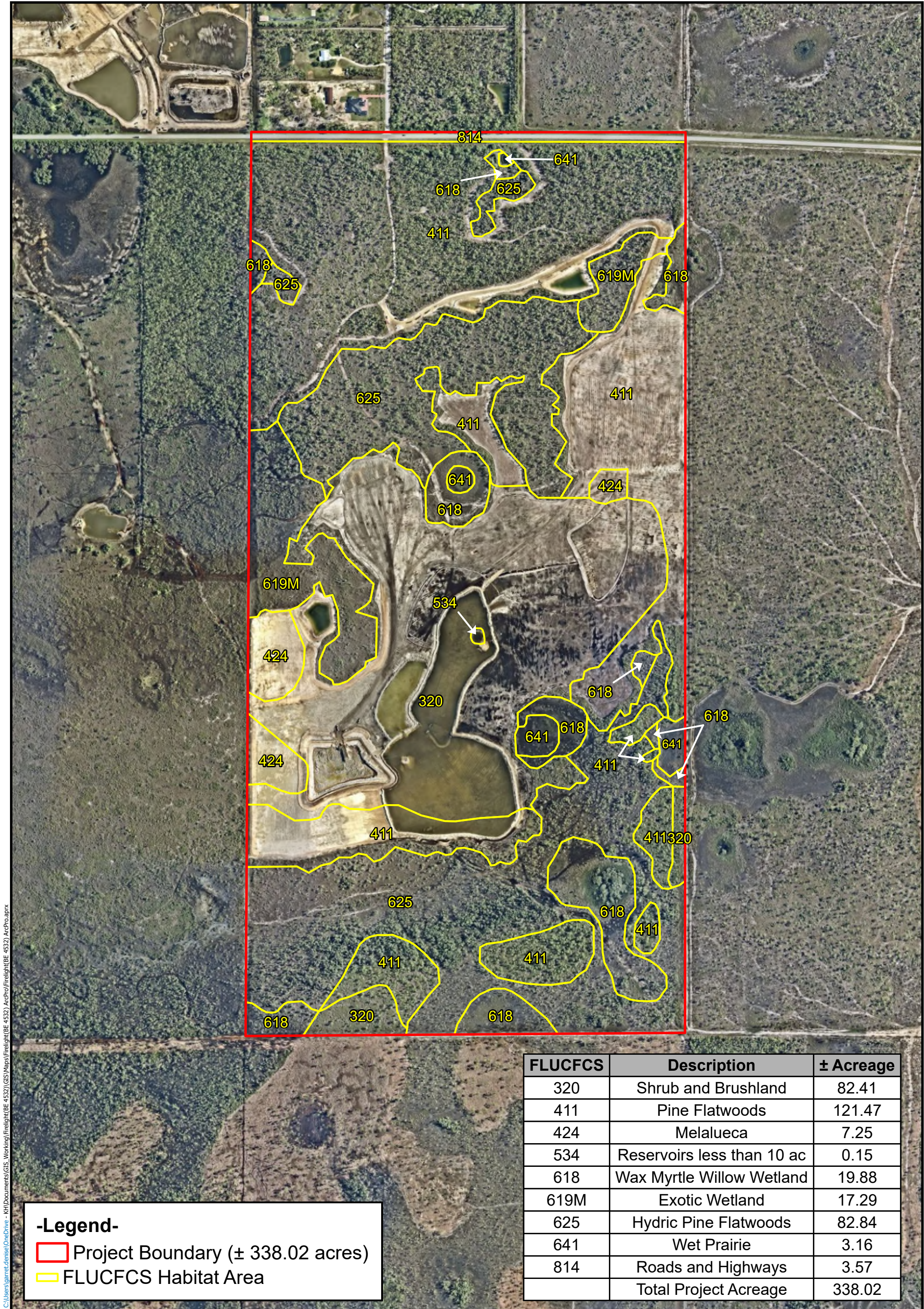


Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Kennedy".

Chris Kennedy
Environmental Scientist

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-Legend-

Project Boundary (± 338.02 acres)

FLUCFCS Habitat Area

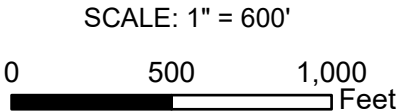
FLUCFCS	Description	± Acreage
320	Shrub and Brushland	82.41
411	Pine Flatwoods	121.47
424	Melalueca	7.25
534	Reservoirs less than 10 ac	0.15
618	Wax Myrtle Willow Wetland	19.88
619M	Exotic Wetland	17.29
625	Hydric Pine Flatwoods	82.84
641	Wet Prairie	3.16
814	Roads and Highways	3.57
	Total Project Acreage	338.02

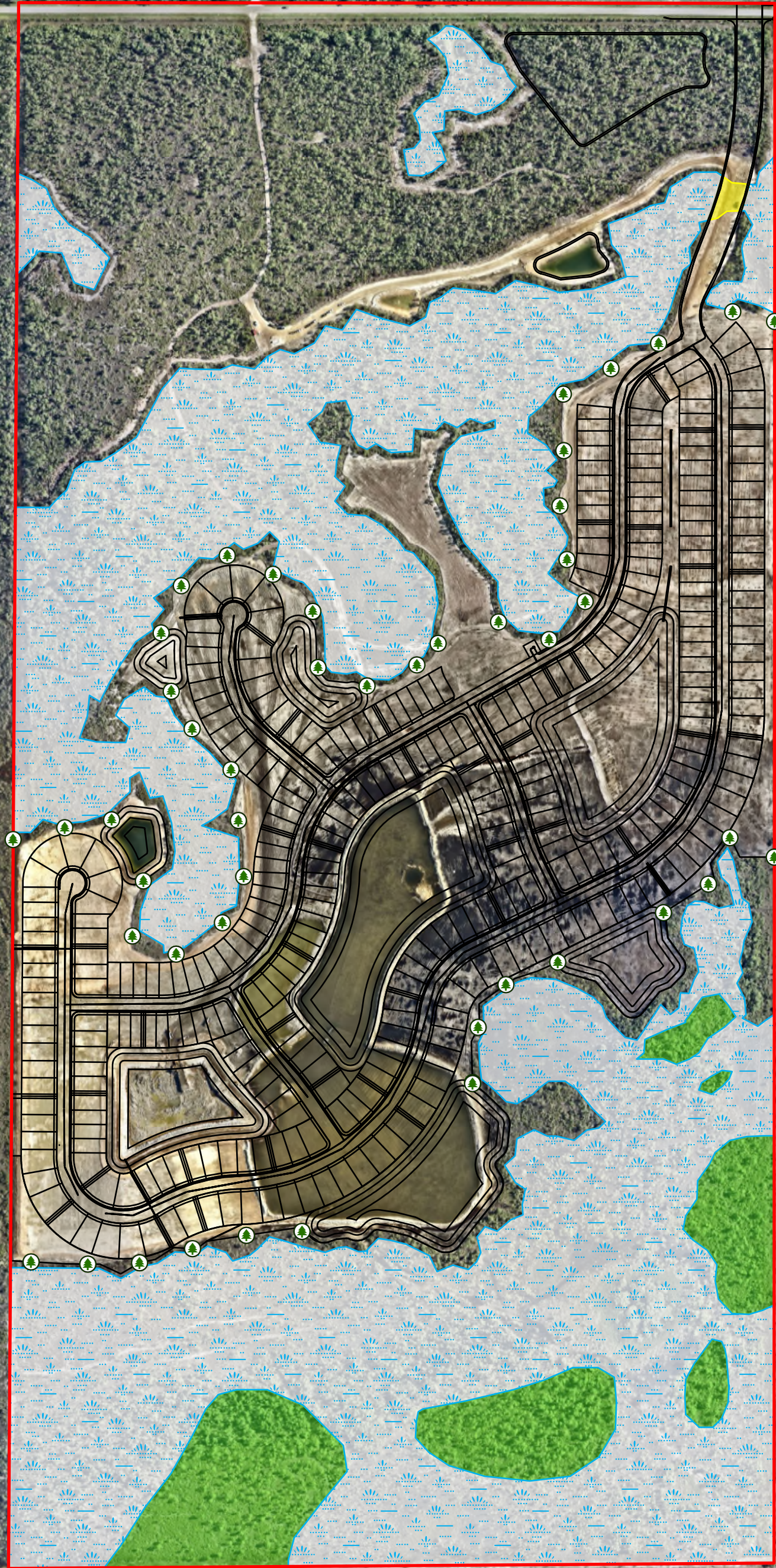
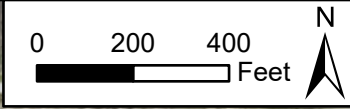
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1800 2nd St Suite 900, Sarasota, FL 34236
Phone (941)- 379 7600
www.kimley-horn.com

Client: Neal Communities Inc.
Project: Reverie at Firelight
Location: Charlotte County
STR:Sec: 28, 21Twp: 42S Rng: 23E
Title: FLUCFCS Habitat Map
Source: Nearmap 2023, FWC

Drawn By: GD
Date: 10/21/2025





Sign size shall be no smaller than 4 inches by 6 inches and in a minimum font size of 28 shall include the following or equivalent statement:
**PRESERVE/CONSERVATION/BUFFER AREA
NO MOWING. NO TRIMMING. NO CLEARING. NO DUMPING.**

- Legend
- Preserve/Conservation/
Buffer Area Signage
-
- Development Linework

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Phone (941)-379-7600
www.kimley-horn.com

Wetland Impact and Preservation Map

Reverie at Firelight
Charlotte County, Florida

1 IN = 400 FT

PROJECT NUMBER: 048119224

OCTOBER 2025

FIGURE 2



Qualifications of Jie Shao

Position: Principal Planner

Years with Charlotte County: 21

Position Summary & Experience: I have worked as a Planner for Charlotte County Community Development Department since January 2004. My main duties include reviewing and making recommendations on plan amendments, zoning map changes and text amendments to the County's Comprehensive Plan, and amendments to the County's Land Development Regulations. I prepare and present staff reports and recommend actions to the Planning and Zoning Board and the Board of County Commissioners.

I evaluate Site Plan Review applications specifically related to development within Development of Regional Impacts for consistency with the County's Comprehensive Plan and Development Orders. I review all development within the Planned Development zoning district. I review applications for establishment of Community Development Districts, applications under the Transfer Density Units (TDU) program and track all TDUs.

In addition, I created the US 41 Zoning District Overlay Code in 2004. I worked with the planning Advisory Committee to successfully create the Little Gasparilla Island Community Plan in 2007 and also created the Little Gasparilla Island Zoning District Overlay Code and the Bridgeless Barrier Island Zoning District in 2013. As a project manager, I successfully completed the US 17 Corridor Planning Study in 2009-2010. I served as a liaison for the South Gulf Cove Advisory Committee and the Little Gasparilla Island Advisory Committee in 2006-2009. I hosted roundtable meetings to solicit public's input. As a team member, I revised and rewrote the County's Land Development Regulations in 2013-2014. Further, I worked on the County's Comprehensive Plan rewrite in 2009-2010, and EAR-based amendments for the County's Comprehensive Plan in 2007, 2014, and 2022.

Education:

- September 1997 to December 2001
University of Cincinnati; Cincinnati, Ohio; Obtained a M.S. degree in Community Planning
- September 1986 to July 1990
Chongqing University China; Obtained a B.S. degree in Architecture

Professional Associations and Certifications:

- AICP, American Association of Certified Planners since 2017
- American Planning Association (APA), Member since 2004

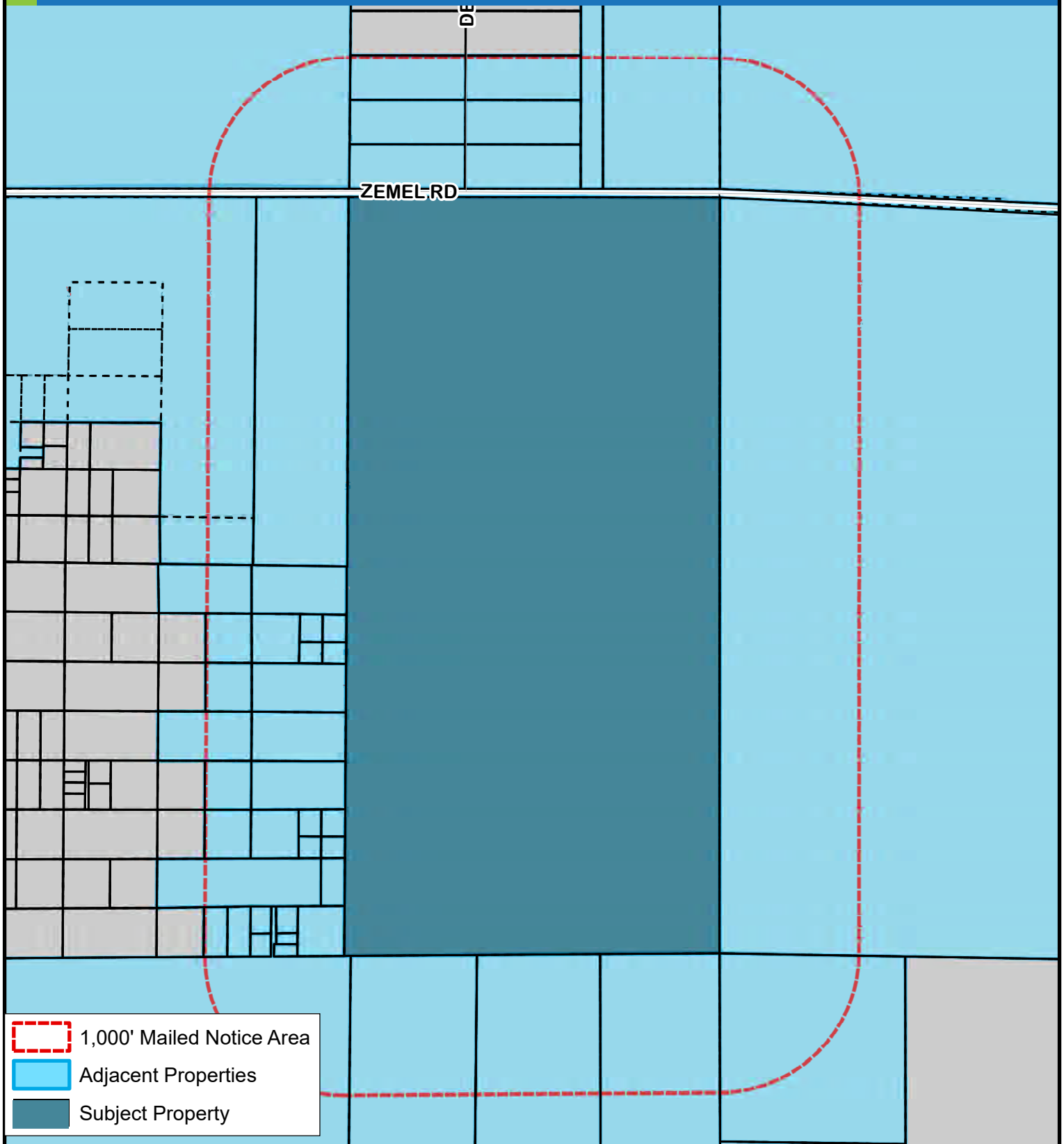
Related Past Experience:

- Planner, Architectural Graphics Designer, University Instructor in Architecture, Suzhou Planning Bureau/Institute of Urban Construction & Environmental Protection (1990-1994)

Exhibit 1

CHARLOTTE COUNTY

1,000' Foot Mailed Notice of PD-25-10



28/42/23 South County



This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guarantees, implied or otherwise, to the accuracy, or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is it to be used for design. Reflected Dimensions are for informational purposes only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plats and related documents.

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CHARLOTTE COUNTY

Location Map for PD-25-10



CHARLOTTE COUNTY
Community Development



 Punta Gorda Boundary

28/42/23 South County



(NOT TO SCALE)

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CHARLOTTE COUNTY

Area Image for PD-25-10



CHARLOTTE COUNTY
Community Development



28/42/23 South County



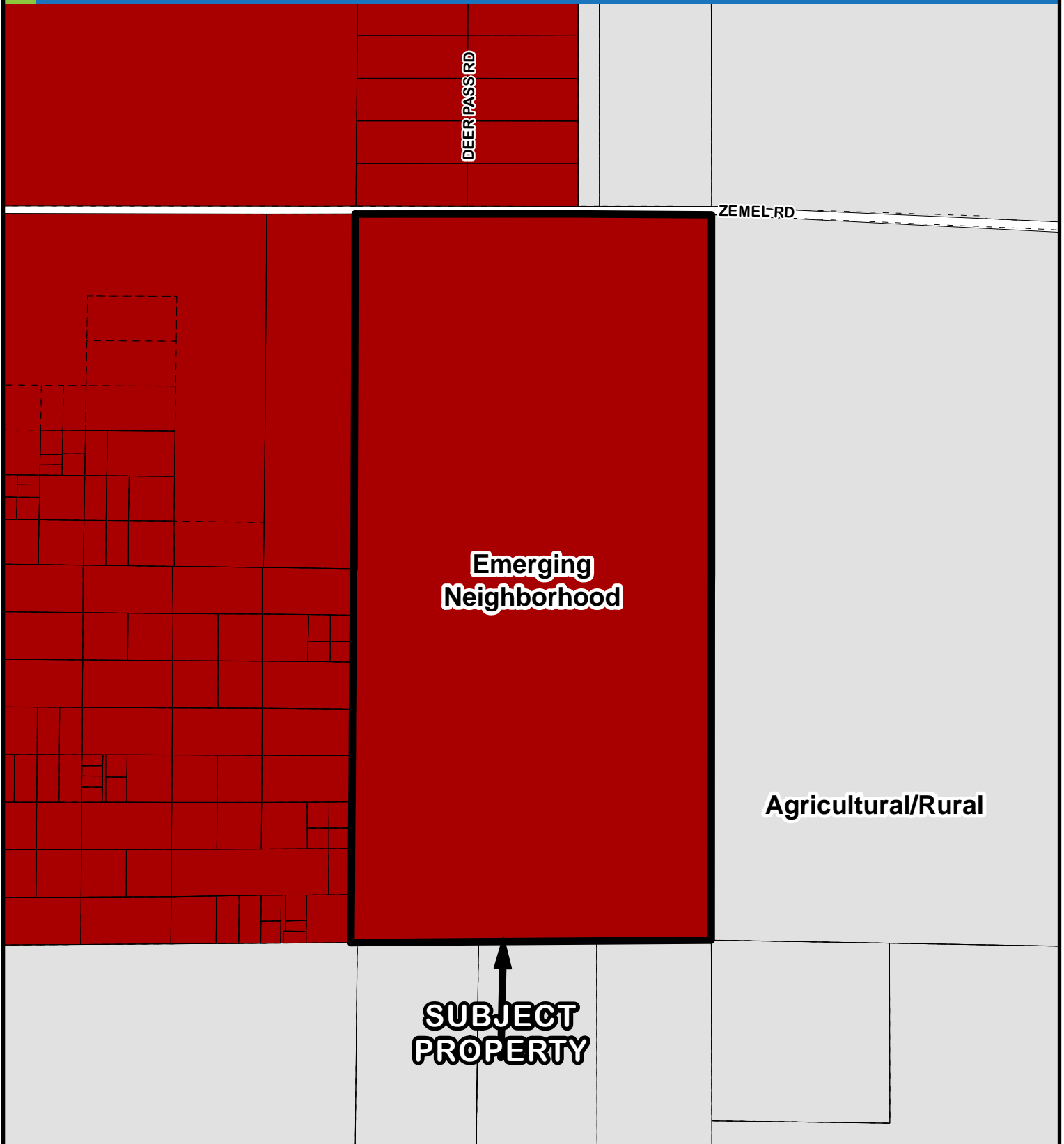
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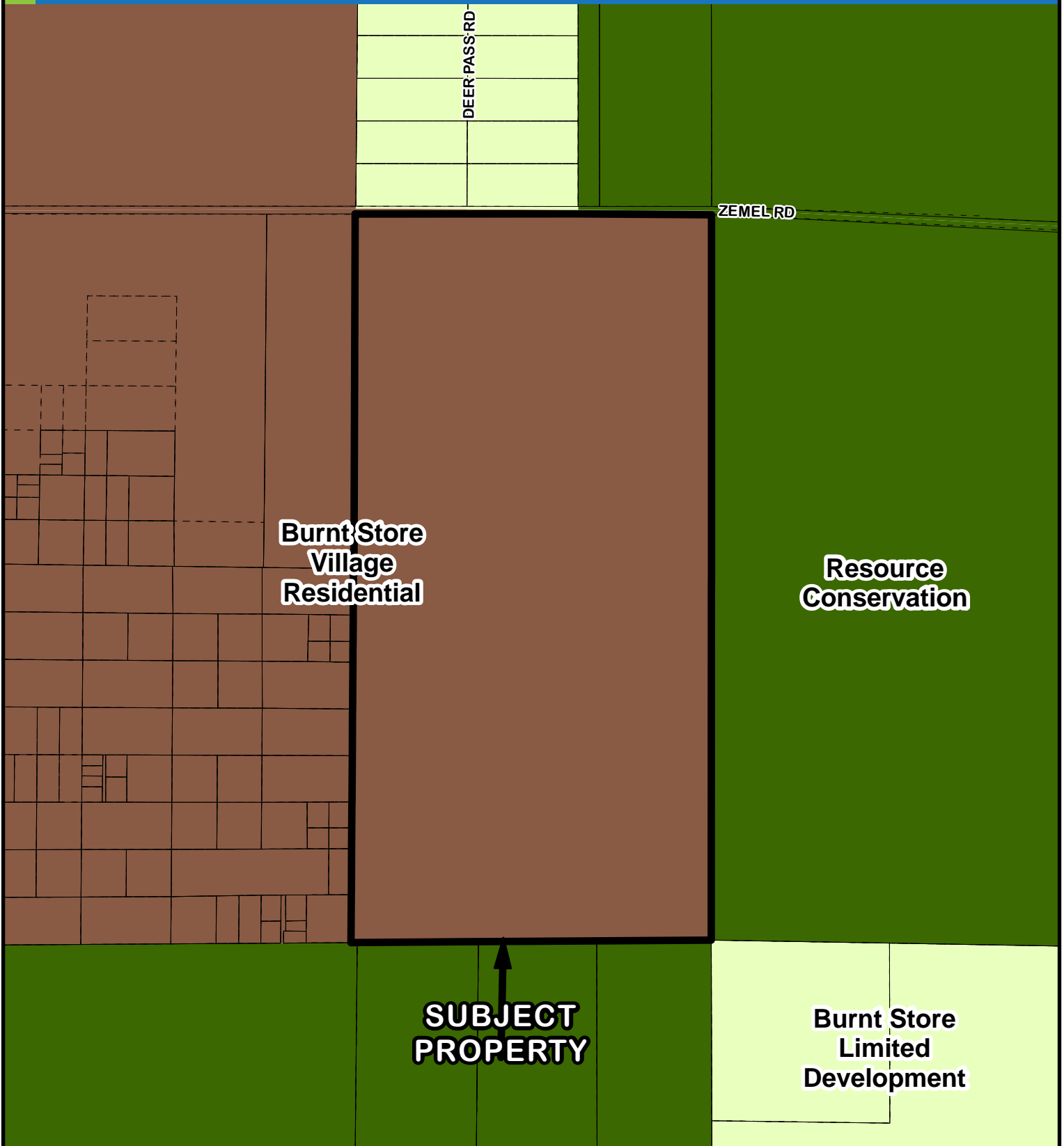


28/42/23 South County



CHARLOTTE COUNTY

FLUM Designations for PD-25-10



28/42/23 South County



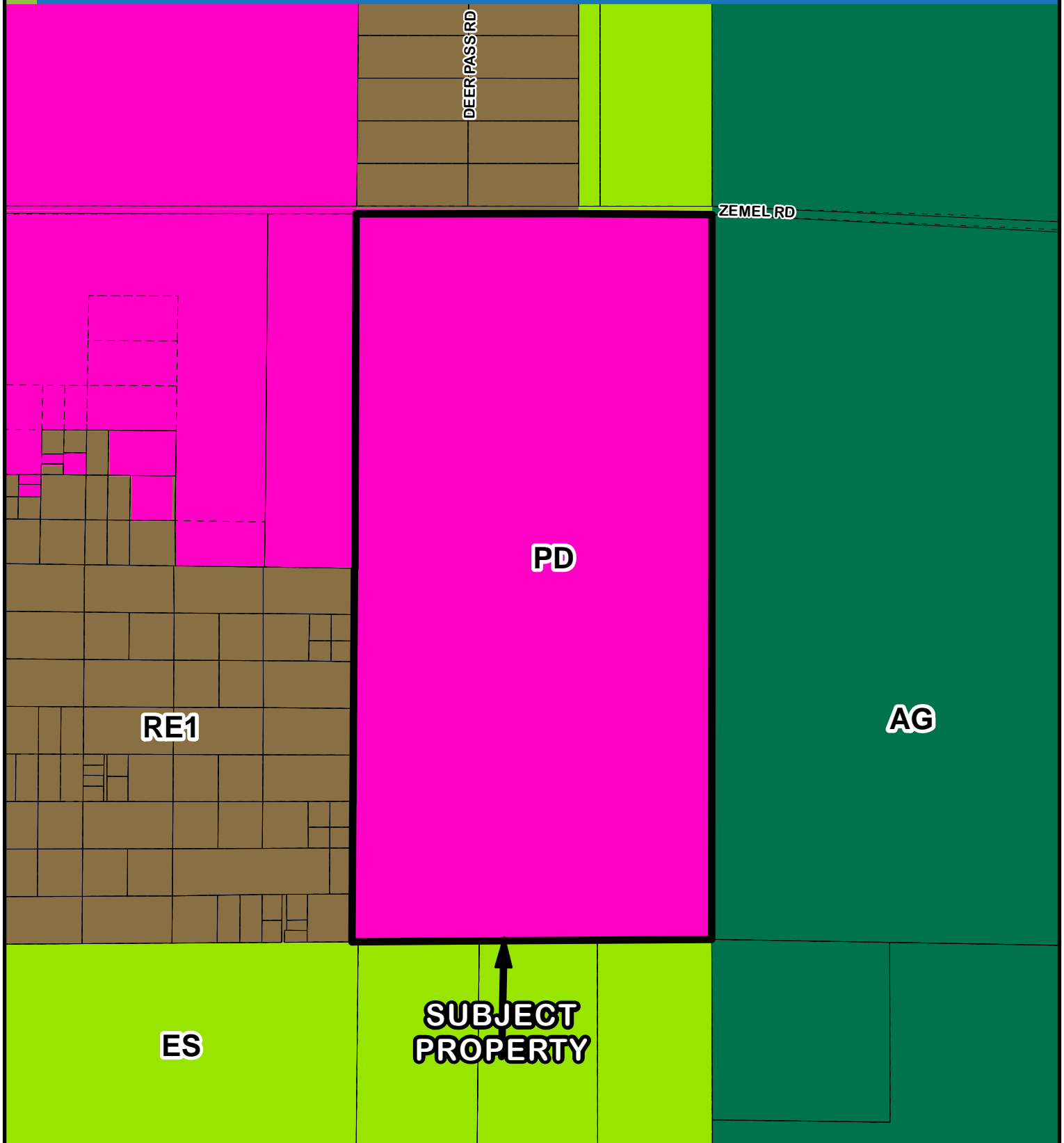
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CHARLOTTE COUNTY

Zoning Designations for PD-25-10



28/42/23 South County



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