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BEC

ORDINANCE  
NUMBER 2024 - 010

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) TO PD, IN ORDER TO HAVE A RESIDENTIAL DEVELOPMENT UP TO 1,762 DWELLING UNITS (A REDUCTION OF 341 DWELLING UNITS); ADOPTING THE GENERAL PD CONCEPT PLAN, REQUIRING A TRANSFER OF 1,311 DENSITY UNITS TO REACH THE MAXIMUM OF 1,762 DWELLING UNITS; FOR PROPERTY, INCLUDING THREE PARCELS, LOCATED AT 12390, 13250 AND 13280 BURNT STORE ROAD, WITHIN THE BOUNDARY OF THE BURNT STORE AREA PLAN AND IN THE PUNTA GORDA AREA, CONTAINING 425.93 ACRES MORE OR LESS; CHARLOTTE COUNTY, FLORIDA; COMMISSION DISTRICT II; PETITION PD-23-00007; APPLICANT, BURNT STORE DEVELOPERS, LLC; PROVIDING AN EFFECTIVE DATE.

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF CIRCUIT COURT  
# PAGE: 21  
INSTR #: 3397763 Doc Type: GOV  
Recorded: 04/25/2024 at 03:50 PM  
Rec. Fee: RECORDING \$180.00

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RECITALS

WHEREAS, in a public hearing held on Tuesday, April 23, 2024, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition PD-23-00007, submitted by applicant, Burnt Store Developers, LLC ("Applicant"), which requested a rezoning from Planned Development (PD) to PD, and adopting the General PD Concept Plan, and requiring a transfer of 1,311 density units, in order to allow for residential development of single-family homes, twin villas, townhomes, and multi-family up to 1,762 units, and its associated residential amenities, and associated infrastructure, for property including three parcels, located at 12390, 13250 and 13280 Burnt Store Road, containing 425.93 acres more or less, within the Burnt Store Area Plan and in the Punta Gorda area, Commission District II, and more particularly described in Exhibit "A" which is attached hereto ("Property"); and

MIK

34           WHEREAS, the Applicant seeks to rezone the Property from  
35 Planned Development (PD) to PD in order to allow for residential development of  
36 up to 1,762 dwelling units on the subject property; and

37           WHEREAS, Petition PD-23-00007 was heard by the Charlotte  
38 County Planning and Zoning Board ("P&Z Board") and, based on the findings  
39 and analysis provided by County Staff and the evidence presented to the P&Z  
40 Board, the P&Z Board recommended approval on March 11, 2024; and

41           WHEREAS, after due consideration, based on the findings and  
42 analysis provided by County Staff and the evidence presented to it, the Board  
43 finds that approval of Petition PD-23-00007 is consistent with the County's  
44 Comprehensive Plan and meets the requirements for the granting of a rezone;  
45 and

46           WHEREAS, the Board finds that approval of Petition PD-23-00007  
47 to rezone the subject property from Planned Development (PD) to PD to be in the  
48 best interests of the County.

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

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

55           Petition PD-23-00007 requesting a rezoning from  
56 Planned Development (PD) to PD and adopting the  
57 General PD Concept Plan, requiring a transfer of  
58 1,311 density units, in order to allow for residential

59 development of single-family homes, twin villas,  
60 townhomes, and multi-family up to 1,762 units, for  
61 property located at 12390, 13250, and 13280 Burnt  
62 Store Road, within the boundary of the Burnt Store  
63 Area Plan and in the Punta Gorda area, containing  
64 425.93 acres more or less; Charlotte County, Florida,  
65 Commission District II, and more particularly  
66 described in Exhibit "A" which is attached hereto.

67  
68 SECTION 2. That the zoning for this property shall run with the  
69 property and shall apply to any subsequent owners, heirs and assigns.

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

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[SIGNATURE PAGE FOLLOWS]

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PASSED AND DULY ADOPTED this 23rd day of April, 2024.

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA

By:   
William G. Traex, Chairman

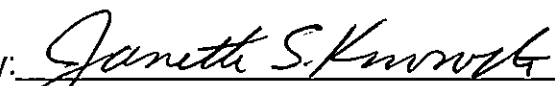


ATTEST:

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

By:   
Deputy Clerk

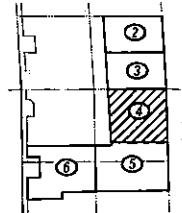
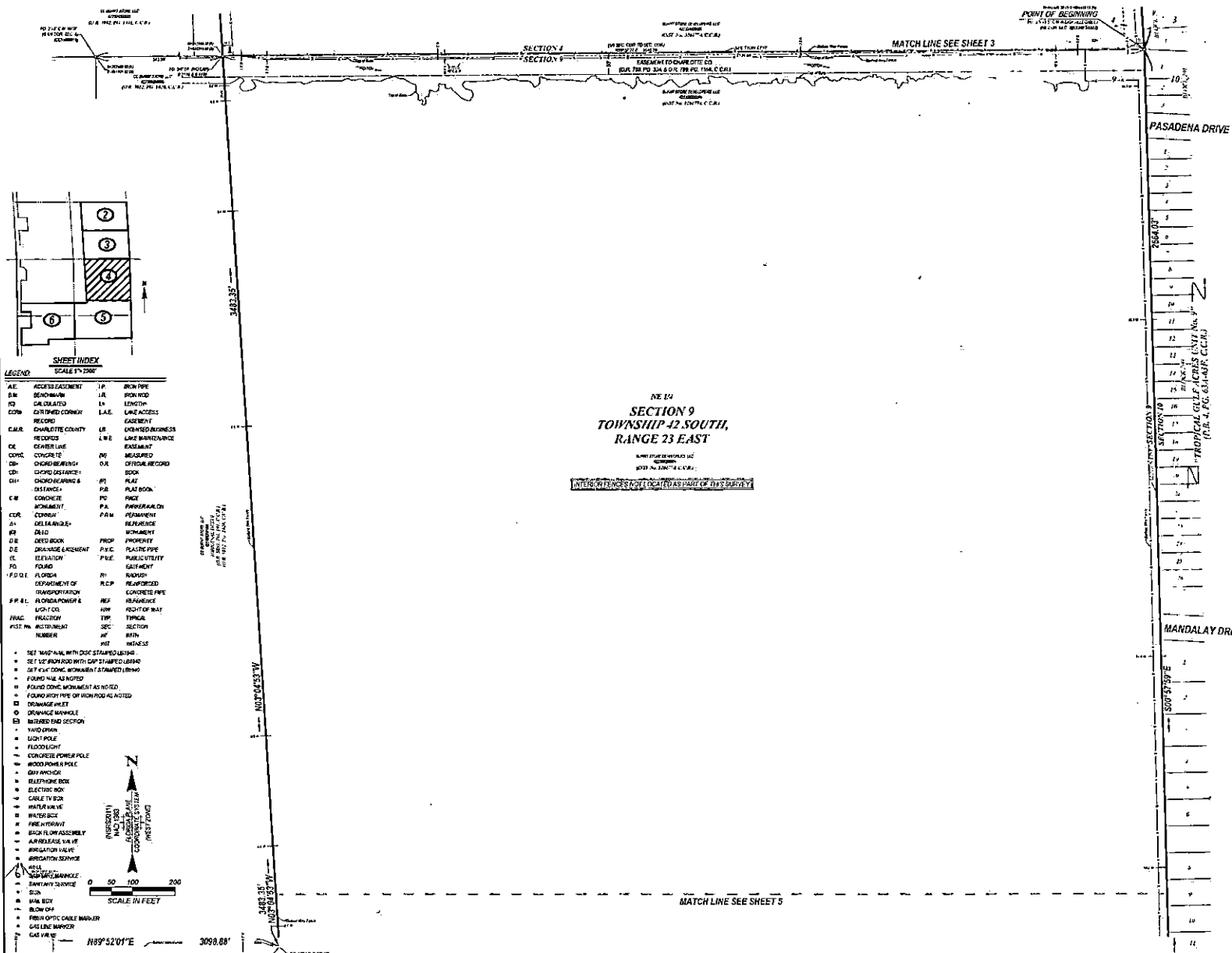
APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

By:   
Janette S. Knowlton, County Attorney  
LR2023-0991









**SHEET INDEX**  
SCALE 1"=100'

**LEGEND**

AE. ACCESS EASEMENT	IP. IRON PIPE
BE. BENCH MARK	IR. IRON ROD
CD. CALCULATED	LA. LENGTH
COB. CONCRETE CORNER	L.A.E. LAKE ACCESS
REC'D. RECORD	EASEMENT
CDM.R. CHARLOTTE COUNTY RECORDS	UNDEVELOPED BUSINESS
CD. CENTER LINE	L.W.E. LAKE MAINTENANCE
CONC. CONCRETE	MEASURED
CD. CONCRETE CORNER	OR. OFFICE RECORD
CD. CATCH DISTANCE	BOOK
CD. CONCRETE EASING & DISTANCE	PL. PLAT
C. CONCRETE	P.B. PLAY BOOK
MONUMENT	PA. PAPER MARK
CONC. CONCRETE	P.M. PERMANENT
DELTA/ANGLE	REFERENCE
DR. DRILL	MONUMENT
DEED BOOK	PROP. PROPERTY
D.E. DRAINAGE EASEMENT	P.V.C. PLASTIC PIPE
EL. ELEVATION	P.W.E. PUBLIC UTILITY
FO. FOUND	SETBACK
FL. FLORIDA	RI. RADIUS
DEPARTMENT OF TRANSPORTATION	R.C.P. REINFORCED CONCRETE PIPE
FL. FLORIDA POWER & LIGHT CO.	RESIDENCE
FRAC. FRACTION	HW. HIGHWAY
POST. NO. POST-MONUMENT	TRP. TRIP
NUMBER	SEC. SECTION
	HT. WITH
	HT. WITH

- SET 1/2" x 1/4" ALUMINUM STAMPED LEGEND
- SET 1/2" x 1/4" BRONZE WITH CAP STAMPED LEGEND
- SET 1/2" x 1/4" CONC. MONUMENT STAMPED LEGEND
- FOUND N/A REPORTED
- FOUND CONC. MONUMENT AS NOTED
- FOUND IRON PIPE OF IRON ROD AS NOTED
- DEBRIDGE SHEET
- ORANGE MARKER
- INTERESTED END SECTION
- YARD MARK
- LIGHT POLE
- FLOOD LIGHT
- CONCRETE POWER POLE
- WOOD POWER POLE
- GRIP ANCHOR
- ELECTRICAL BOX
- ELECTRICAL BOX
- CABLE TV BOX
- WATER VALVE
- WATER TAP
- FIRE HYDRANT
- BACK FLOW ASSEMBLY
- AIR RELEASE VALVE
- IRIGATION VALVE
- IRIGATION SERVICE
- WELL
- SEWER MANHOLE
- SEWER SERVICE
- SEWER
- MANHOLE
- BLIND OFF
- FRONT OPTIC CABLE MARKER
- CABLE MARKER
- GAS VALVE

SCALE IN FEET  
0 50 100 200

189°52'01"E 3099.88'

NE 1/4  
**SECTION 9**  
**TOWNSHIP 42 SOUTH,**  
**RANGE 23 EAST**  
BARRACO AND ASSOCIATES, INC.  
REGISTERED PROFESSIONAL SURVEYOR  
NO. 10074 C.C.R.

**INTERESTED END SECTION LOCATED AS PART OF THIS SURVEY**

**Barraco**  
and Associates, Inc.  
CIVIL ENGINEERING - LAND SURVEYING  
LAND PLANNING  
www.barraco.net  
2271 MCGREGOR BLVD., SUITE 100  
FORT MYERS, FLORIDA 33902-2800  
PHONE (889) 451-3170  
FAX (889) 451-3166

**GREENPOINTE COMMUNITIES, LLC**  
7807 DAYTONA ROAD E  
SUITE 205  
JACKSONVILLE, FL 32256  
PHONE (904) 562-1758  
FAX (904) 562-2491

**A PARCEL OF LAND IN TOWNSHIP 42 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA**

PROJECT SURVEY

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RUBBER STAMP OR ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR OR LAND SURVEYOR

FILE NAME: J202301.DWG

LAYOUT: 4

LOCATION: A CRESTWOOD DRIVE TRMS

PLOT DATE: 08/01/2023 11:51 AM

PLotted BY: P. DE SENA

DATE OF DATE: 03/20/2023

DRAWN BY: P. DE SENA

CHECKED BY: GUY

SCALE: 1"=100'

FIELD BOOK

PLAN NUMBER

BOUNDARY SURVEY

PROJECT FILE NO. 24223  
SHEET 4 OF 6







### PD Conditions for Application PD-23-00007

This proposed development shall be in compliance 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 on the General PD Concept Plan submitted by the applicant, prepared by Barraco and Associates, Inc., dated February 29, 2024 (Attachment 1: Master Concept Plan – Turnleaf Planned Development), 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 85.19± acres (The PD Concept Plan includes 14.82± acres of wetlands and associated uplands, 64.24± acres of lake area, 8.519± acres of which may be counted toward open space). In addition, the PD Concept Plan Site Plan Review (Petition No. DRC-23-00186) comments/conditions according to the letter dated February 21, 2024, and signed by Shaun Cullinan, Charlotte County Planning and Zoning Official, are required to be met as applicable. Such General PD Concept Plan shall be valid until a Final Detail Site Plan is approved per Section 3-9-45, Planned Development (PD).
- b. The base density for the subject property is 451 units. The proposal is to develop a total of 1,762 dwelling units. Any residential development above 451 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. Multi-family.
  - 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 in this district, including, but not limited to:
    - 1) Accessory structures, including, but not limited to, garages, carports and sheds.
    - 2) Detached accessory structures greater than 250 square feet but no greater than 400 square feet in area, must be DBPR approved or otherwise meet the Florida Building Code. All roofs must be pitched and include overhangs and eaves which meet current building codes. Rounded corners are prohibited. These structures are allowed with metal siding in the same color as the primary structure.
    - 3) Fences or walls.



- 4) Swimming pools, tennis court or other similar non-commercial recreational uses and structures.
- d. No development shall occur prior to Final Detail Site Plan approval of any or all phases, which will be scheduled on the Board of County Commissioners land use consent agenda.
  - e. A development timeline and phasing plan for the entire PD shall be submitted as part of the application for Final Detail Site Plan approval. If approved, 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 the status of the PD buildout in the current and previous year (as applicable).
  - f. The maximum building height for single-family homes and townhomes is 35 feet from the base flood elevation. The maximum building height for multi-family structures and amenity structures is 45 feet from the base flood elevation. The project must comply with all development standards listed on the PD Concept Plan.
  - g. 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, a homeowners' association, a Community Development District, or similar entity.
  - h. The applicant/property owner shall provide a pedestrian/sidewalk system with a minimum width of five feet throughout the development, which shall be identified in the Final Detail Site Plan. A pedestrian/sidewalk system with a minimum width of eight feet shall be placed along one side of the Spine Road as shown on the proposed General PD Concept Plan (Attachment 1) and along the northern property line within the 50-foot right-of-way reservation as also shown on the proposed PD Concept Plan (Attachment 1), and such sidewalk system shall connect to the existing sidewalk system on Burnt Store Road. The developer shall coordinate with the County's Public Works Department to ensure that the proposed 8-foot sidewalk is completed no later than at the time of the 50% completion of the residential development.
  - i. There shall be two main entrances. One shall be located on Burnt Store Road and the second shall be located on or about the north property boundary, as well as at least one emergency access point along the eastern boundary of the site. These entrances are shown on the proposed General PD Concept Plan (Attachment 1). The exact locations for these access points will be fully described and included in the Final Detail Site Plan. 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 and these comments shall be fully described and included in the Final Detail Site Plan.
  - j. As part of the applicant's development agreement addressing condition k. below, the applicant shall address concurrency per Article XIV, Concurrency Management. The applicant shall meet Transportation Concurrency and account for the project's traffic and the traffic of any previously approved developments which have reserved level of

service (LOS) capacity in the applicable roadway LOS analysis. If the analysis shows that the LOS falls below the adopted minimum standard, a proportionate share analysis and a Proportionate Fair Share Agreement may be required to satisfy Transportation Concurrency.

- k. Before the project can receive any residential Certificates of Occupancy, the conditions relating to a traffic signal on Burnt Store Road at the main residential entrance to the Turnleaf development shall be memorialized in a developer's agreement acceptable to the County.
- l. 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 may be issued. The developer may extend reclaimed water utility lines, if available at the time of construction.
- m. The 25-foot PD setback is required as shown on the PD Concept Plan. Entrances, landscaping and buffers may be located within the 25-foot PD setback.
- n. 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 abutting properties zoned RE-1 and RSF-3.5, which are designated for single-family homes.
  - ii. At a minimum, a type "B" buffer shall be required for portion of the property which is designated for multi-family development.
  - iii. At a minimum, a type "C" buffer is required for all amenities and recreational areas.
  - iv. At a minimum, a type "A" buffer is required along the remaining property boundary.
  - v. All other landscaping and buffers shall follow Section 3-9-100, Buffers, Landscaping, and Tree Requirements.
- o. The final design of the amenity area shall be determined at Final Detail Site Plan review.
- p. The Habitat management plan (Attachment 2: Native Habitat Management Plan) shall be implemented to make sure that the onsite wetland identified as "Preserve" on the PD Concept Plan shall be restored and preserved in perpetuity. At a minimum, a 25-foot buffer is required along all wetlands.
- q. If outdoor lighting is included in the proposed amenity area, it must be shielded or directed in such a way that the light does not shine beyond the boundaries of the subject property.
- r. The proposed three amenity areas, containing a total of 8.37 acres, 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.

s. School Concurrency:

- i. If the Site must meet school concurrency under a valid interlocal agreement, prior to Final Detail Site Plan or Final Plat approval for any residential development for any Phases, the Developer or 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.
  - ii. If an agreement is required, the terms of both agreements shall be incorporated into the Planned Development Final Detail Site Plan but shall not constitute a major modification.
- t. Per the submitted "Phase I Cultural Resource Assessment of the Burnt Store 425 Parcel, Charlotte County, Florida" report, prepared by Archaeological and Historical Conservancy, Inc. and dated November 2022. The site (8CH666) needs to be preserved as shown on the PD Concept Plan (Attachment 1). If the site contains archaeological resources which need to be protected or buffered, a modification to the proposed General PD Concept Plan is required at the Final Detail Site Plan stage. If the modification does not change the density, intensity, open space requirements, or the proposed PD conditions, it will be considered a minor modification; otherwise, a major modification to the proposed General PD Concept Plan is required. All ground disturbing activities in the area of an archaeological site shall be monitored by a professional archaeologist. In the event that uncovers human remains, then the provisions of Florida State Statute 872.05, the Unmarked Human Remains Act, may apply.

**Attachment 1**  
**Master Concept Plan –**  
**Turnleaf Planned Development**

MASTER CONCEPT PLAN  
FOR

TURNLEAF  
RESIDENTIAL PLANNED DEVELOPMENT

PART OF SECTION 4 & 9, TOWNSHIP 42 SOUTH, RANGE 23 EAST  
PUNTA GORDA, CHARLOTTE COUNTY, FLORIDA

PROJECT DATA

<b>SITE ADDRESS</b> 13288 BURNI STORE RD PUNTA GORDA, FL 32955	<b>PROJECT DATUM</b> FLORIDA STATE PLANE WEST ZONE (FWD18C90) NATIONAL GEODETIC VERTICAL DATUM (NGVD) 1929
<b>ZONING</b> CURRENT: RES 8 PD PROPOSED: PD	<b>RECORD PLAT</b>
<b>FLOOD ZONE</b> ACCORDING TO F.A.R.M. NO. 1227000287, MAP REVISED AUGUST 28, 2004, THE PROPERTY IS LOCATED IN ZONE "X B NC"	<b>STRAP NUMBERS</b> 42230630101 42230920001 42230440001

PERMIT REQUIREMENTS

AGENCY	STATUS	NOTES
SW FLORIDA WATER MANAGEMENT DISTRICT	.	.
CHARLOTTE COUNTY DEVELOPMENT ORDER	.	.
FLORIDA DEPARTMENT OF HEALTH	.	.
FLORIDA DEPT. OF ENVIRONMENTAL PROTECTION	.	.
F.O.D.T. CONNECTION PERMIT	.	.
F.O.D.T. DRAINAGE CONNECTION PERMIT	.	.
F.O.D.T. UTILITY PERMIT	.	.
ARMY CORPS OF ENGINEERS	.	.
F.D.E.P. NOTICE OF INTENT	.	.

NOTE: CONTRACTOR MUST OBTAIN AND KEEP ON FILE A COPY OF ALL PERMITS  
REQUIRED PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ACTIVITY

DESIGN TEAM

<b>PROJECT ENGINEER</b> CARL BARRACO, P.E.	<b>PROJECT MANAGEMENT</b> JEFF WASKO, P.E.
<b>DESIGN ENGINEER</b> JEFF WASKO, P.E.	<b>PROJECT SURVEYOR</b> SCOTT A. WHEELER, PSW
<b>LEAD DESIGN TECHNICIAN</b> JAMIE WILSON, P.E.	<b>SITE PLANNING</b> ALYSSA FONTANE
<b>DESIGN STAFF</b> CHRIS PALEY	<b>LANDSCAPE DESIGN</b> GRIGIO DIENERO
<b>QUALITY CONTROL</b> WESLEY L. P.E.	<b>LAND PLANNER</b> ALEXIS CRESPO

THESE PLANS MAY HAVE BEEN MODIFIED IN SIZE BY REPRODUCTION.  
THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.

ALL DIMENSIONS ARE IN FEET.



PROJECT  
LOCATION



LOCATION MAP



INDEX OF DRAWINGS

ENGINEER OF RECORD SIGNATURE AND SEAL APPLY TO THE FOLLOWING PLAN SHEETS, INCLUDING ANY SUPPLEMENTS.

SHEET	DESCRIPTION	XREF	DRAWING NAME
1	COVER SHEET AND LOCATION MAP	A	23998-231.DWG
2	MASTER CONCEPT PLAN	B	23998-232.DWG
3	DETAILS		23998-233.DWG

CROSS-REFERENCED DRAWINGS:

XREF	DESCRIPTION	DRAWING NAME
A	AERIAL PHOTOGRAPH	PROJ0220.JPG
B	BASE PLAN	23991-230.DWG

**Barraco**  
and Associates, Inc.  
CIVIL ENGINEERING • LAND SURVEYING  
LAND PLANNING  
www.barraco.net  
2271 MCGREGOR BLVD., SUITE 100  
POST OFFICE DRAWER 2800  
FORT MYERS, FLORIDA 33902-2800  
PHONE (239) 461-3170  
FAX (239) 461-3160  
FLORIDA CERTIFICATES OF AUTHORIZATION  
ENGINEERING 7185 - SURVEYING 13-0646  
PLANNING 0-000

**BURNT STORE  
DEVELOPERS,  
LLC**

7807 BAYMEADOWS ROAD E  
SUITE 205  
JACKSONVILLE, FL 32256

PHONE (904) 562-1358  
FAX (904) 990-2481

PROJECT DESCRIPTION

**TURNLEAF  
PLANNED  
DEVELOPMENT**

PART OF SECTION 4 & 9,  
TOWNSHIP 42 SOUTH, RANGE 23 EAST  
CHARLOTTE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND  
INTENDED FOR CONCEPTUAL  
PLANNING PURPOSES ONLY.

SITE LAYOUT AND LAND USE  
INTENSITIES OR DENSITIES MAY  
CHANGE SIGNIFICANTLY BASED  
UPON SURVEY, ENGINEERING,  
ENVIRONMENTAL AND/OR  
REGULATORY CONSTRAINTS AND/  
OR OPPORTUNITIES.

PLANNED DEVELOPMENT

FILE NAME: 23991-231-COVER.DWG

LOCATION: J:\COMP\BARRACO

PLOT DATE: THU 3/26/2014 11:52 AM

PLT BY: JLB/BA/JOE/AMS

CROSS-REFERENCED DRAWINGS

MASTER: 23998-231.DWG

PLAN REVISIONS

11.28.2013 REVISED PER COMMENTS

2 TO 204 ADD ARCHITECTURAL SITE

PLAN STATUS

NOT FOR CONSTRUCTION

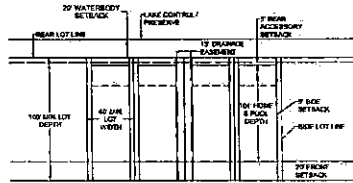
COVER SHEET  
AND  
LOCATION MAP

PROJECT FILE NO. SHEET NUMBER

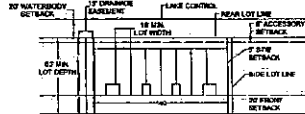
23991 1



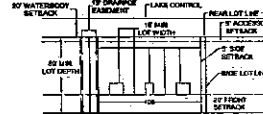




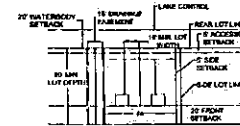
SINGLE FAMILY TYPICAL LOT DETAIL



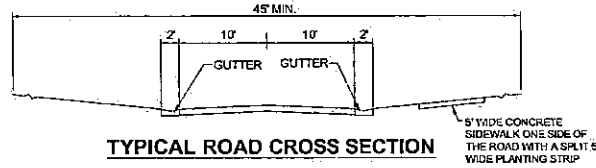
8-PLEX TOWNHOUSE TYPICAL LOT DETAIL



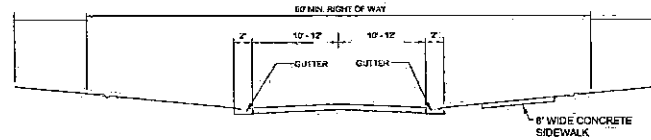
6-PLEX TOWNHOUSE TYPICAL LOT DETAIL



4-PLEX TOWNHOUSE TYPICAL LOT DETAIL



TYPICAL ROAD CROSS SECTION



SPINE ROAD TYPICAL CROSS SECTION

TURNLEAF PLANNED DEVELOPMENT  
DEVELOPMENT STANDARDS

Dwelling Type	Min. Lot Size	Min. Lot Width	Min. Lot Depth	Min. Front Setback <sup>(1)</sup>	Side Setback	Rear Setback (Principal)	Rear Setback Accessory Setback	Max. Height	Max. Lot Coverage	Waterbody	PD Setback
Single-Family Detached	4,000 SF	40'	100'	20'	5'	10'	5'	35'	70%	20'	25'
Single-Family Semi-Detached	3,000 SF	30'	100'	20'	5' or 7'	10'	5'	35'	70%	20'	20'
Townhouse	1,280 SF	16'	80'	20'	5' or 7'	10'	5'	35'	75%	20'	25'
Multi-Family Building	10,000 SF	75'	100'	20'	7.5' (15' building separation)	15'	5'	45/3 stories	60%	20'	25'
Recreation Buildings/ Clubhouse	10,000 SF	100'	100'	15'	5'	5'	5'	45/3 stories	85%	20'	25'

(1) Dwelling units with side loaded garages shall have a minimum front yard setback of 15'. Secondary front yards on corner lots shall have a minimum front setback of 10'.

**Barraco**  
and Associates, Inc.  
CIVIL ENGINEERING - LAND SURVEYING  
LAND PLANNING  
www.barraco.net  
8271 MAGREGOR BLVD., SUITE 100  
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PHONE (239) 461-3170  
FAX (239) 461-3160  
FLORIDA CERTIFICATE OF AUTHORIZATION  
ENGINEERING 7385 - SURVEYING 18-860

BURNT STORE  
DEVELOPERS,  
LLC

7807 BAYMEADOWS ROAD  
SUITE 205  
JACKSONVILLE, FL 32256

PHONE (904) 582-1338  
FAX (904) 806-2481

PROJECT DESCRIPTION

TURNLEAF  
PLANNED  
DEVELOPMENT

PART OF SECTION 49,  
TOWNSHIP 42 SOUTH, RANGE 21 EAST  
CHARLOTTE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND  
INTENDED FOR CONCEPTUAL  
PLANNING PURPOSES ONLY.

SITE LAYOUT AND LAND USE  
INTENSITIES OR DENSITIES MAY  
CHANGE SIGNIFICANTLY BASED  
UPON SURVEY, ENGINEERING,  
ENVIRONMENTAL AND/OR  
REGULATORY CONSTRAINTS AND/OR  
OPPORTUNITIES.

ISSUED FOR THE RECORD ONLY. THIS PLAN IS NOT TO BE USED FOR CONSTRUCTION. ALL RIGHTS RESERVED BY BARRACO AND ASSOCIATES, INC. NO PART OF THIS PLAN MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. WITHOUT THE WRITTEN PERMISSION OF BARRACO AND ASSOCIATES, INC. PROJECT NO. 23991-0001-0001 LOCATION JACKSONVILLE, FLORIDA PROJECT DATE MAY 2, 2011 2:30 PM - 11:57 AM DRAWN BY ALISSA FORNARE

CHECKED BY: [Signature]

PLAN REVISIONS

11/18/2011 REVISION PLAN COMMENTS  
7/29/2011 AUTOMATIC TECHNOLOGICAL ERM

PLAN STATUS

MASTER  
CONCEPT  
PLAN

PROJECT FILE NO SHEET NUMBER

23991

3

# **Attachment 2**

## **Native Habitat Management Plan**

This native habitat management plan applies to a portion of the subject property located at 13250 and 13280 Burnt Store Road.

**BURNT STORE 295  
CHARLOTTE COUNTY APPLICATION NO. PD-21-00009  
NATIVE HABITAT MANAGEMENT PLAN**

**August 2021**

**INTRODUCTION**

The following Native Habitat Management Plan has been prepared to address the long-term management of the proposed on-site wetlands and their upland preservation areas for the proposed development known as Burnt Store 295 (Project). Preservation areas are identified on the adopted PD Concept Plan, prepared by Barraco and Associates, Inc., as approved by Charlotte County Board of County Commissioners.

The Project is located in Section 9, Township 42 South, Range 23 East, Charlotte County. The Project area is 295± acres and is comprised primarily of undeveloped pasture and forested land.

**NATIVE HABITAT PRESERVATION AREA MANAGEMENT PLAN**

An aggressive maintenance plan shall be implemented to ensure that the preserve areas remain relatively free (i.e., less than 5 percent aerial coverage) of exotic and nuisance vegetative species, and maintain a minimum 80 percent aerial coverage of desirable native vegetative species (“Success Criteria”). 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 shall be conducted via a combination of hand removal and in-place treatment in conjunction with spray application of approved herbicides which can be used to selectively treat undesirable vegetation. No herbicide treatment of desirable native species is permitted. Additionally, native vegetation may have to be planted in order to meet the desired aerial coverage criteria of at least 80 percent.

Exotic plant species will include all Category I invasive exotics as listed by the Florida Exotic Pest Plant Council (EPPC). Hand removal will include the felling of exotics trees, hand removal, and herbicide treatment of the stumps; or hand pulling. Herbicide treatment will be with a U.S. Environmental Protection Agency approved herbicide that includes a visual trace dye. If physical removal will cause more damage to the native vegetation within the preserve, exotic vegetation within the interior of the preserve will be treated in place.

**Prohibited Activities**

Filling, dumping, construction of buildings, roads, billboards or other advertising, excavating, alteration, 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.

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

Entrance to the preservation area will be limited to the property owner(s), developer(s), and their guests for purposes of maintenance activities or passive recreational uses not inconsistent with retention of land or water areas in their existing, natural vegetative, hydrologic, scenic, open or wooded condition. Contractors hired to perform maintenance activities must have all required licensing, per Florida Pesticide Law (Florida Statutes (F.S.), 487). 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 in accordance with local, state, and federal guidelines. 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, the initial exotic removal/restoration event shall occur within 45 days of issuance of a building permit for the subject property, and the first monitoring event shall be conducted within 45 days following the initial exotic removal/restoration event. The County may grant extensions of no more than 90 days to accommodate unforeseen circumstances, such as drought, frost, or freeze. Subsequent monitoring events will be conducted annually for a period of no less than three years. If, at the end of three years, the preserve areas have met or exceeded the success criteria described above, monitoring requirements for the preserve areas shall be suspended. However, additional monitoring may be required if the success criteria of native or invasive/nuisance plant coverage has not been achieved.

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

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

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

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



**FLORIDA DEPARTMENT *of* STATE**

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

April 25, 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. 2024-010, which was filed in this office on April 24, 2024.

Sincerely,

Matthew Hargreaves  
Administrative Code and Register Director

MJH/wlh



Ticket# 3925335-1  
BCC 04.23.24 Meeting  
5 x 12.  
Submitted by: Kimberly Sargent  
AD ID# 3923798  
Publish: 04/08/24  
163352 3923798

**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)

04/08/24

as well as being posted online at [www.yoursun.com](http://www.yoursun.com) and [www.floridapublicnotices.com](http://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 8th day of  
April, 2024

(Signature of Notary Public)



Personally known  OR  Produced Identification

Legacy/From A1

from the IRS before the city's deadline, Calhoun said.

The other disqualified applicant was the current operator, the New Operation Cooper Street Board.

The city broke the current lease with the NOCS board claiming it wasn't transparent about its operations and finances. Officials also weren't happy the board leased building space to the YMCA for after-school activities without the city's approval.

After a public comment committee members commented on the only proposal.

Member Julie Rogan-Suiter suggested the City Council would consider adding other items while negotiating with the YMCA. She asked if a percentage of the new operational board could be made up of community



At left, Valorie Wist tells the board about how she grew up playing at the Cooper Street Rec Center. She said she met her boyfriend there and later married him. They were together for 30 years. Their children and grandchildren use the rec center in Punta Gorda.

members and business owners.

She said the Y should consider hiring residents to work at the rec center and create a service work program.

Board chair Brittany Mettler, who cast the dissenting vote, called the YMCA's proposal "inconclusive." She said it lacks

information about sub-leases and that all current and non-YMCA partner activities would stop. She also said the YMCA requested the city pay for expenses.

The expenses and renewal proposed are not reasonable and should be negotiated, she said. A 3% increase over a

five-year period will not keep up with average annual inflation. Over the past five years, the average 12-month percent change is 3.74%, according to the US Bureau of Labor Statistics.

Mettler said if the playground on the rec center campus isn't open to the public at all times, the

YMCA should pay, not the city. However, the council can add it to the operational agreement.

After the meeting, NAACP of Charlotte County President Coanie Payne asked why the community building needs an overseer.

"It's like the master and the slave. Why?" Payne said. "This building is our legacy. We've always been able to handle it. We never needed an overseer, which is the white folk. That's how I'm talking it."

Jim Blue said he has always been welcome at the rec center.

"I live at PGI," said Blue, who is running for a Florida House of Representatives for District 76.

"The one thing I believe in strongly is protecting local power, community power. I hope this board and the council will decide to leave the power in the community."

NAACP member

Richard E. Patrick said the proposal should be less about a nonprofit having money, and more about a connection to that community.

"The decisions we all think is coming, think what it will do to the community," he said. "This will cause mass hurt in the community."

Scott Barnard, YMCA chief development officer, didn't speak during the meeting. But after ward, he talked to members of the NAACP and other groups.

"We want community members on the Cooper Street board," Barnard said. "We will welcome residents from the community to apply for positions at the rec center. We've always been about being a part of the community and bringing people together because that's what makes us stronger."

Patrick said he has always been welcome at the rec center.

Patrick said he has always been welcome at the rec center.

Gaza/From A1

marked by chartered multi-story buildings and climbing over debris. Cars were overturned and charred. Southern Gaza's main hospital, Nasser, was in shambles.

"It's all that rubble," a detainee Ahmad al-Abu al-Hus said. "Animals can't live here, so how is a human supposed to?"

Israel's for weeks has vowed a ground offensive in nearby Rafah. But the city shelters some 1.4 million people — more than half of Gaza's population. The prospect of an offensive has raised global alarm, including from Israel's top ally, the U.S., which has demanded to see a credible plan to protect civilians. Allowing people to return to nearby Khan Younis could relieve some pressure on Rafah.

While House national security spokesman John Kirby repeated on Sunday the U.S. opposition to a Rafah offensive and told ABC the U.S. believes that the partial Israeli withdrawal "is really just about rest and profit for these troops that have been on the ground for four months and not necessarily that we can tell, indicative of some coming new operation for these troops."

Israel's military quietly drew down troops in devastated northern Gaza after the war. But it has continued to carry out strikes and raids in areas where it says Hamas has repositioned, including Gaza's largest hospital, Shifa, leaving what the head of the World Health Organization called "an empty shell."

The six-month mark has been met with growing frustration in Israel, where anti-government protests have swelled and anger is mounting over what is considered a government inaction to help free about 130 remaining hostages, about a quarter of whom have eyes are dead. Hamas-led militants took about 250 captives when they crossed from Gaza into Israel on Oct. 7 and killed 1,200 people, mostly civilians.

Several thousand protesters called for a "hostage deal now" at a rally outside the Knesset in Jerusalem, organized by hostage families. In southern Israel, weeping relatives gathered at the site of a music festival where more than 300 people were killed on Oct. 7.

"It's an impossible reality for us. It's an impossible reality for the Gazans and the people of this country. We just want to live," said one protester, Talla Barak.

"I would agree to anything to return the hostages and stop the gas killings in Gaza," said another protester, Michal Fruchtman.

Negotiations in pursuit of a cease-fire in exchange for the hostages released were expected to resume in Cairo on Sunday. An Israeli delegation led by the head of the Masada intelligence agency was going to Cairo, according to an Israeli official who spoke on condition

of anonymity because they were not authorized to discuss the matter with the media.

Pressure rose for action here.

"This doesn't seem a war against terror. This doesn't seem anymore a war about defending Israel. This really, at this point, seems it's war against humanity itself," chief of staff Andreu told ABC, days after an Israeli airstrike killed seven of his World

Central Kitchen colleagues in Gaza. Aid deliveries on a crucial new sea route to the territory were suspended.

"Humanity has been all but abandoned" in Gaza, the International Federation of Red Cross and Red Crescent Societies said in a statement.

The U.N. and partners now warn of "imminent famine" for more than 1 million people in Gaza as humanitarian workers urge

Israel to loosen restrictions on the delivery of aid overland, the only way to meet soaring needs as some Palestinians forage for weeds to eat. Thousands of aid trucks have been waiting to enter Gaza.

"It's a slow-motion massacre of people to subject them to the kind of deprivation of food and water that they have been subjected to for the last six months," Doctors Without Borders

USA executive director Avri Ben-David told CBS.

Mothers who have given birth in Gaza since the war began are especially vulnerable.

The Health Ministry in Gaza said the bodies of 38 people killed in Israeli bombardment had been brought to the territory's remaining functional hospitals in the past 24 hours. It said 33,175 have been killed since the war began.

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 THURSDAY, APRIL 11, 2024, AT 2:00 PM, OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THIS MEETING AND HEARING WILL BE HELD IN COMMISSIONERS CHAMBERS, ROOM 119, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 1150 N. WOODOCK CIRCLE, FORT CHARLOTTE, FLORIDA. THIS 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: <https://www.charlottecountyfl.gov/board-commissioners/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 904-764-4903 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

- PETITIONS
LAND USE CONSENT AGENDA
DEC-24-003
Quasi-Judicial
Commission District II
Debra Fitzgerald is requesting a PD Final Detail Site Plan approval for Wilder Amenity Center. The project consists of a 1,958 1/2 lake house, pool, 544 SF mail room, tennis and pickleball courts, 1,890 SF (main) building, 2,275 SF fitness center, playground, and yoga lawn. This project site is 5.87 acres and is zoned U (113159) 21364, Tucker Point Phase 1 Part 1A, Punta Gorda, FL in Section 18, Township 41, Range 21.
LAND USE REGULAR AGENDA
PAS-23-00008
Legislative
Commission District V
Pursuant to Section 164.3187, Florida Statutes, adopt a Small Scale Plat Amendment to change Charlotte County FIRM Series Map #11:2030 Primary Land Use, from Public Lands and Facilities (PL) to Parks and Recreation (PR), for property located at 21123 McQuibb Avenue, in the Fort Charlotte area, containing 4.964 acres, Commission District V; Petition No. PAS-23-00008; Applicant: Tina Powell, Charlotte County Parks & Natural Resources Division Manager; providing an effective date.
Z-23-05-20
Quasi-Judicial
Commission District V
An Ordinance pursuant to Sections 115.64, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Single-Family R3 (R2F-13) to Parks and Recreation (PR), for property located at 21123 McQuibb Avenue, in the Fort Charlotte area, containing 4.964 acres, Commission District V; Petition No. Z-23-05-20; Applicant: Tina Powell, Charlotte County Parks & Natural Resources Division Manager; providing an effective date.
PAS-23-00007
Legislative
Commission District II
Pursuant to Section 164.3187, Florida Statutes, adopt a Small Scale Plat Amendment to change Charlotte County FIRM Series Map #1:2030 Primary Land Use, from Public Lands and Facilities (PL) (3.32 acres) and Low Density Residential (LDR) (3.11 acres) to Commercial (CO); for property located at 5221 and 5225 Taylor Road, in the Punta Gorda area, containing 10.334 acres Commission District II; Petition No. PAS-23-00007; Applicant: Sonik View V, LLC providing an effective date.
PD-23-00010
Quasi-Judicial
Commission District II
An Ordinance pursuant to Section 115.64, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Estate 1 (RE-1) to Planned Development (PD), and adopting the associated General PD Concept Plan, in order to have a maximum of 143,000 square feet of "Storage" pursuant to the County Code sec. 5-9-2-2 Rules of Construction; Definitions, including 11 buildings and no more than 68,000 square feet dedicated to Recreational Vehicle storage, for property located at 5222 and 5223 Taylor Road, in the Punta Gorda area, containing 10.334 acres; Commission District II; Petition No. PD-23-00010; Applicant: Sonik View V, LLC providing an effective date.
PD-23-00007
Quasi-Judicial
Commission District II
An Ordinance pursuant to Section 115.64, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD in order to have a residential development up to 1,268 dwelling units (a reduction of 341 dwelling units) adopting the General PD Concept Plan requires a transfer of 1,311 density units to reach the maximum of 1,343 dwelling units for property, including three parcels, located at 12190, 12192 and 12280 Burnt Store Road, within the boundary of the Burnt Store Area Plan and in the Punta Gorda area, containing 613.934 acres; Commission District II; Petition No. PD-23-00007; Applicant: Burnt Store Developer, LLC providing an effective date.
TCP-24-01
Legislative
Community-wide
Pursuant to Section 164.3184(4), Florida Statutes, transmit a Large Scale Plat Amendment (Text Amendment) to the Department of Community and Other State review agencies for review and comment; (a) request to amend the Potable Water and Sanitary Sewer Subelement under the Infrastructure Element by revising WSW Policy 3.3.3, Community Utility System Reporting and creating a new WSW Policy 3.3.4, Feasibility of Providing Sanitary Sewer Services; Petition No. TCP-24-01; Applicant: Dave Watson, Utilities Director, Charlotte County Utilities 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. CHARLOTTE COUNTY BOARD OF COUNTY COMMISSIONERS DOES NOT DISCRIMINATE ON THE BASIS OF AGE, SEX, RACE, ETHNICITY OR NATIONAL ORIGIN. THIS NON-DISCRIMINATION POLICY APPLIES TO ALL EMPLOYEES OF THE COUNTY'S FUNCTIONS, INCLUDING ACCESS TO AND PARTICIPATION IN SERVICES, PROGRAMS AND ACTIVITIES. FOR SMALL BUSINESS OWNERS ONLY: FOR THE HEARING IMPAIRMENT AND ACCOMMODATION SERVICES, CONTACT THE BOARD OF COUNTY COMMISSIONERS AT 904.764.4903, TDD/TTY 941.761.1234, or by email to: David.Lyons@charlottecountyfl.gov.
PUBLISHED: April 8, 2024

