

March 26, 2024

ORDINANCE

NUMBER 2024-007

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 XX: STARLING COMMUNITY DEVELOPMENT DISTRICT (CDD); PROVIDING FOR NEW SECTION 4-3.5-250, AUTHORITY; PROVIDING FOR NEW SECTION 4-3.5-251, DISTRICT NAME; PROVIDING FOR NEW SECTION 4-3.5-252, DISTRICT EXTERNAL BOUNDARIES; PROVIDING FOR NEW SECTION 4-3.5-253, DISTRICT POWERS AND FUNCTIONS; PROVIDING FOR NEW SECTION 4-3.5-254, BOARD OF SUPERVISORS; PROVIDING FOR ADDITIONAL REQUIREMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, Taylor Morrison of Florida, Inc. (the "Petitioner"), having obtained written consent to the establishment of the Starling 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 Florida corporation authorized to conduct business in the State of Florida, and whose address is 28100 Bonita Grande Drive, Suite 102, Bonita Springs, Florida 34135; 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 March 26, 2024; and,

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF
CIRCUIT COURT

PAGE: 39

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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 XX titled "STARLING
57 COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-250 is hereby created by adding

the underlined language to provide as follows:

Sec. 4-3.5-250. 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 XX titled “STARLING COMMUNITY DEVELOPMENT DISTRICT,” § 4-3.5-251 is hereby created by adding the underlined language to provide as follows:

Sec. 4-3.5.-251. – 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 “Starling Community Development District,” and which shall be referred to in this ordinance as the “District”.

Section 3. Charlotte County Code Chapter 4-3, Article XX titled “STARLING COMMUNITY DEVELOPMENT DISTRICT,” § 4-3.5-252 is hereby created by adding the underlined language to provide as follows:

Sec. 4-3.5-252. – District External Boundaries.

The external boundaries of the District are described in **Appendix A** attached hereto, said boundaries encompassing 296.63 acres, more or less.

Section 4. Charlotte County Code Chapter 4-3, Article XX titled "STARLING COMMUNITY DEVELOPMENT DISTRICT," § 4-3.5-253 is hereby created by adding the underlined language to provide as follows:

Sec. 4-3.5-253. 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 (2023).

Section 5. Charlotte County Code Chapter 4-3, Article XX titled "STARLING DEVELOPMENT DISTRICT," § 4-3.5-254 is hereby created by adding the underlined language to provide as follows:

Sec. 4-3.5-254. Board of Supervisors.

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

Name: Charles Cook
Address: 28100 Bonita Grande Drive, Suite 102
Bonita Springs, Florida 34135

Name: Felipe Gonzalez
Address: 28100 Bonita Grande Drive, Suite 102
Bonita Springs, Florida 34135

Name: Ryan Futch
Address: 28100 Bonita Grande Drive, Suite 102
Bonita Springs, Florida 34135

Name: Jarret English
Address: 28100 Bonita Grande Drive, Suite 102
Bonita Springs, Florida 34135

Name: Rebekah Norton
Address: 28100 Bonita Grande Drive, Suite 102
Bonita Springs, Florida 34135

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 26th day of March, 2024.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

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



ATTEST:
Roger D. Eaton, Clerk of the 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
LR 24-0164 JMK

Appendix A [Petition]

PETITION TO ESTABLISH **STARLING COMMUNITY** **DEVELOPMENT DISTRICT**

Submitted by:

Wesley Stuart Haber
Florida Bar No. 420069
Wesley.haber@kutakrock.com
KUTAK ROCK LLP
107 W. College Ave.
Tallahassee, Florida 32301
850-692-7305

PETITION TO ESTABLISH A COMMUNITY DEVELOPMENT DISTRICT

Petitioner, Taylor Morrison of Florida, Inc. ("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 ("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 Charlotte County, Florida, and covers approximately 296.63 acres of land, more or less. **Exhibit 1** depicts the general location of the project. The site is generally located east of Burnt Store Road, west of Green Gulf Boulevard and at the southeastern corner of Township 42, Range 23, Section 09. The sketch and metes and bounds descriptions of the external boundary of the proposed District is set forth in **Exhibit 2**.

2. **Excluded Parcels.** There are no excluded parcels within the boundaries of the District.

3. **Landowner Consent and Authorization.** Petitioner, as the landowner of 100% of the lands to be included within the proposed District, has provided its written consent to establishment of the District. The consent is attached hereto as **Exhibit 3**.

4. **Initial Board Members.** The five (5) persons designated to serve as initial members of the Board of Supervisors of the proposed District are as follows: Charles Cook, Felipe Gonzalez, Ryan Futch, Jarret English and Rebekah Norton, each with an address of 28100 Bonita Grande Drive, Suite 102, Bonita Springs, Florida 34135-6220. 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 Starling Community Development District.

6. **Major Water and Wastewater Facilities.** **Exhibit 4** shows the existing and proposed major trunk water mains and sewer connections serving the lands within and around the proposed District.

7. **District Facilities and Services.** **Exhibit 5** describes the type of facilities Petitioner presently expects the proposed District to finance, fund, construct, acquire and install, as well as the estimated costs of construction. At present, these improvements are estimated to be made, acquired, constructed and installed in 2024. 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.

8. **Existing and Future Land Uses.** The existing use of the lands within the proposed District is a Planned Development Burnt Store 2007. The future general distribution, location and

extent of the public and private land uses within and adjacent to the proposed District by land use plan element are shown in **Exhibit 6**. These proposed land uses are consistent with the applicable local comprehensive plan.

9. Statement of Estimated Regulatory Costs. **Exhibit 7** 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 Agents. The Petitioner is authorized to do business in the State of Florida. The Petitioner, as part of its landowner consent, has designated Wesley Haber as its authorized agent. See **Exhibit 3**. Copies of all correspondence and official notices should be sent to:

Wesley Stuart Haber
Florida Bar No. 420069
Wesley.haber@kutakrock.com
KUTAK ROCK LLP
107 W. College Ave.
Tallahassee, Florida 32301
850-692-7305

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

a. Establishment of the proposed 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 applicable local comprehensive plan.

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

c. The establishment of the proposed District will prevent the general body of taxpayers in the county from bearing the burden for installation of the infrastructure and the maintenance of certain facilities within the development encompassed by the proposed District. The proposed 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 proposed 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 proposed 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 proposed District will provide a perpetual entity capable of making reasonable provisions for the operation and maintenance of the proposed District's 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 for 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 exercise of certain additional powers to finance, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for: (1) parks and facilities for indoor and outdoor recreational, cultural and educational uses; and (2) security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, each as authorized and described by Section 190.012(2), Florida Statutes; and

d. grant such other relief as may be necessary or appropriate.

RESPECTFULLY SUBMITTED, this 16th day of February, 2024.

Submitted by:

/s/ Wesley S. Haber

Wesley Stuart Haber

Florida Bar No. 420069

Wesley.haber@kutakrock.com

KUTAK ROCK LLP

107 W. College Ave.

Tallahassee, Florida 32301

850-692-7305

EXHIBIT 1

B:\Projects\1226-500 (Esp at Starling) CDD\Drawings-Exhibits\1226-500-01 CDD EXHIBITS\Current Plans\12265000102.dwg



STARLING CDD
BOUNDARY

BURNT STORE ROAD

Parcel Identification Numbers:
422316200001
422309376001
422309400001

EXHIBIT 1: LOCATION MAP

PREPARED FOR:
TAYLOR MORRISON OF FLORIDA, INC.
28100 BONITA GRANDE DRIVE SUITE 102
BONITA SPRINGS, FLORIDA 34135

SECTION: 16	TOWNSHIP: 42S	RANGE: 23E
CHARLOTTE COUNTY, FL		
FILE NAME: 12265000102.dwg		
SHEET: 2 OF 12		

FLORIDA CERTIFICATE OF AUTHORIZATION #8636
JEREMY H. ARNOLD, P.E.
FL LICENSE NO. 66421



B:\Projects\1226-500 (Esp at Starling) CDD\Drawings-Exhibits\1226-500-01 CDD EXHIBITS\Current Plans\12265000102.dwg

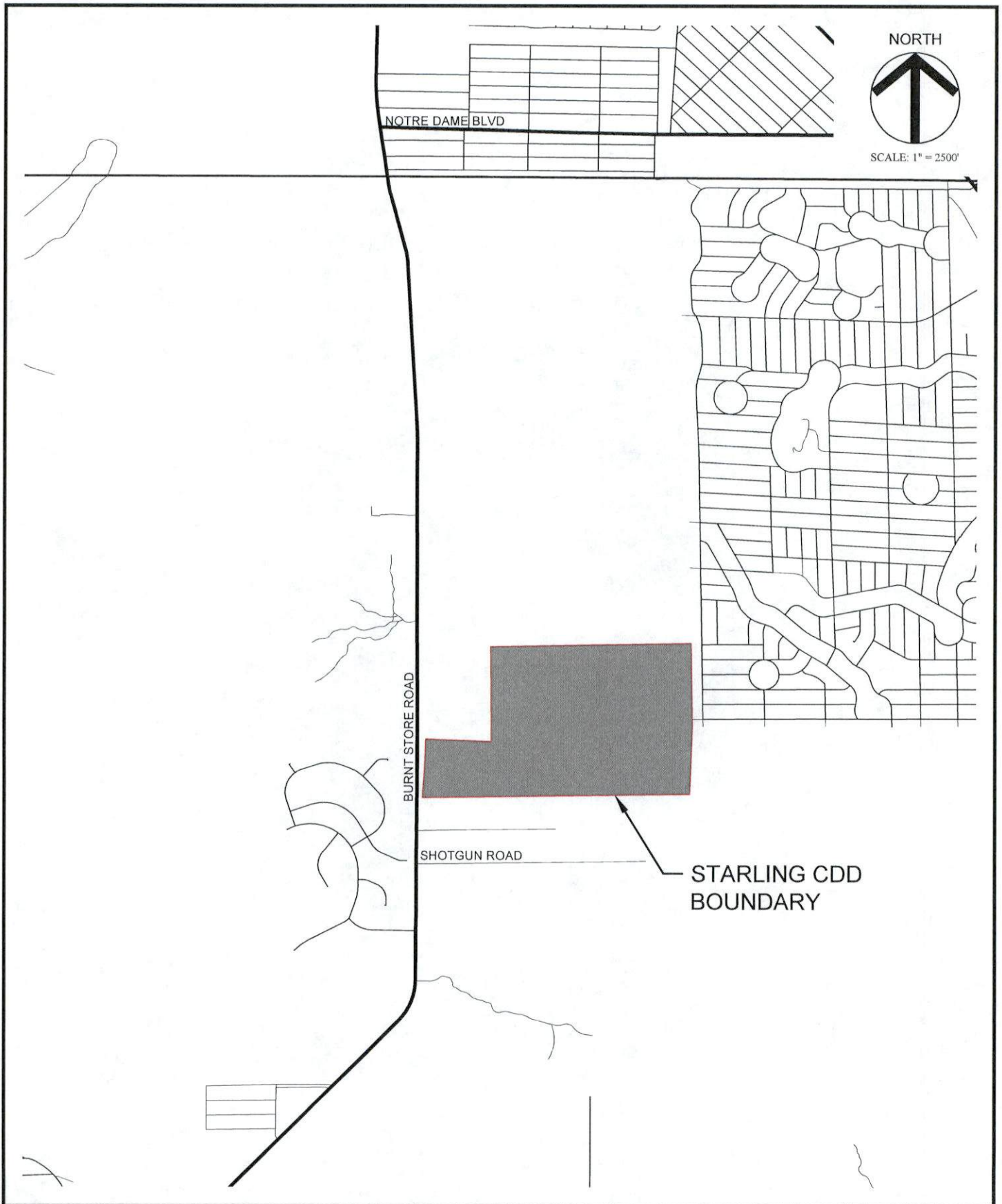


EXHIBIT 1: LOCATION MAP

PREPARED FOR:

TAYLOR MORRISON OF FLORIDA, INC.
28100 BONITA GRANDE DRIVE SUITE 102
BONITA SPRINGS, FLORIDA 34135

SECTION: TOWNSHIP: RANGE:

16 42S 23E
CHARLOTTE COUNTY, FL

FILE NAME: 12265000102.dwg
SHEET: 2 OF 12

FLORIDA CERTIFICATE OF AUTHORIZATION #8636

JEREMY H. ARNOLD, P.E.
FL LICENSE NO. 66421

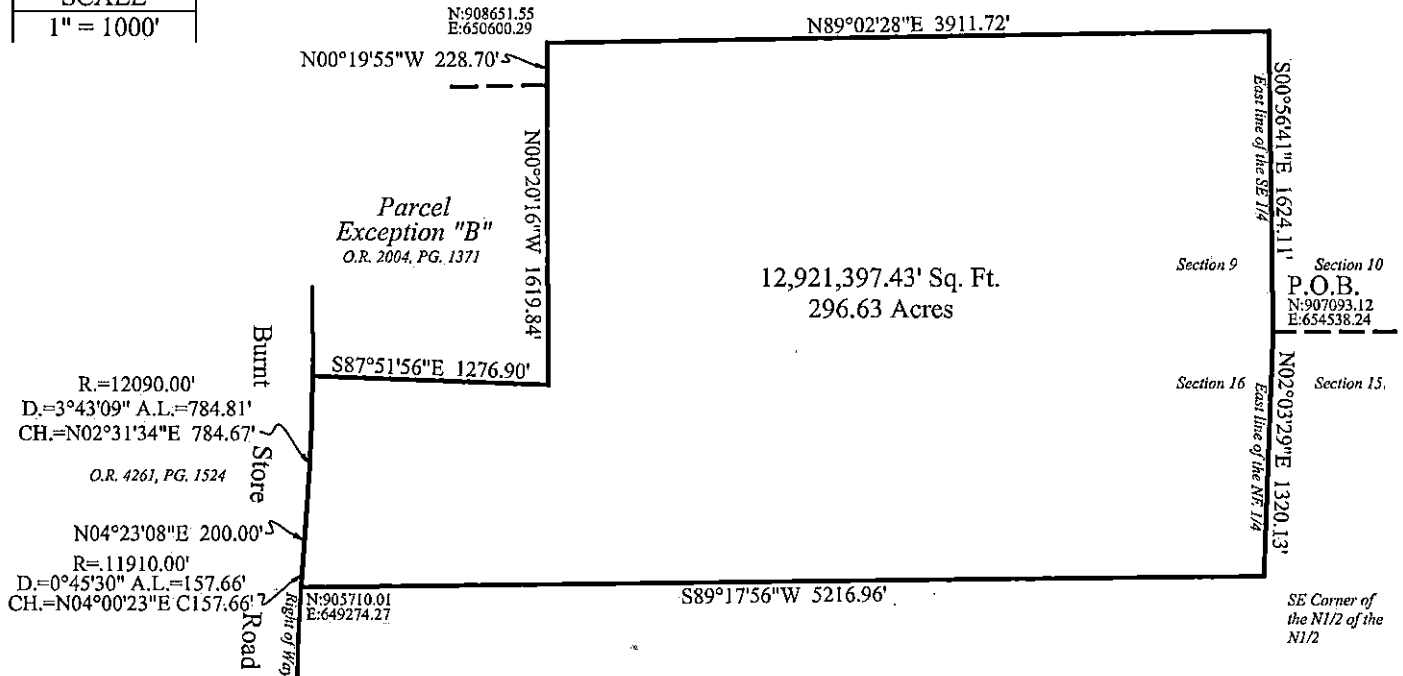


EXHIBIT 2

Sketch



SCALE
1" = 1000'



SURVEY NOTES:

1. BEARINGS ARE BASED ON EAST LINE OF THE SOUTHEAST (SE 1/4) QUARTER OF SECTION 9 TO BEAR S00°56'41\"E.
2. MEASUREMENTS SHOWN ARE IN FEET AND DECIMALS THEREOF.
3. **THIS IS NOT A SURVEY**
4. ADDITIONS TO OR DELETIONS OTHER THAN THE SIGNING SURVEYOR AND MAPPER ARE PROHIBITED BY LAW WITHOUT THE EXPRESS WRITTEN CONSENT OF THE SIGNING SURVEYOR AND MAPPER. *COPYRIGHT 2024, ARDURRA GROUP, INC., ALL RIGHTS RESERVED.*
5. DO NOT COPY WITHOUT THE WRITTEN CONSENT OF ARDURRA GROUP, INC.
6. NOT VALID WITHOUT SHEET 2 OF 2.
7. COORDINATES SHOWN HEREON ARE IN REFERENCE TO THE FLORIDA WEST STATE PLANE COORDINATE SYSTEM (ZONE 0902) (NAD 83/2011) AND DETERMINED USING THE FDOT PERMANENT REFERENCE STATION NETWORK (FPRN).

LEGEND:

P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
P.B. = PLAT BOOK
O.R. = OFFICIAL RECORDS BOOK
PG. = PAGE
INST. = INSTRUMENT
R/W = RIGHT-OF-WAY

Sheet 1 of 2

Sketch to Accompany Description

Subject Parcel

A tract of land lying in Section 9 and 16,
Township 42 South, Range 23 East, Lee
County, Florida

SHEET 1 OF 2

JOB # 2023-0878 PREPARED FOR: Taylor Morrison

THIS IS NOT A SURVEY



ARDURRA
COLLABORATE. INNOVATE. CREATE.

324 Nicholas Parkway W, Unit A
Cape Coral, Florida 33991
Phone: (239) 673-9541
www.Ardurra.com
License #LB-2610

I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on **February 19, 2024** is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 22-12, Florida Administrative Code, and the Florida Statutes.

Donald D Stouten by Donald D

D Stouten

Date:

2024.02.19

2024.02.19 13:04:40 -05'00'
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 2610
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER

SECTIONS 9 and 16, TOWNSHIP 42 S, RANGE 23 E

Description

Subject Parcel Description:

Description:

A tract or parcel of land lying in Sections 9 and 16, Township 42 South, Range 23 East, Charlotte County, Florida, said tract or parcel of land being more particularly described as follows:

BEGINNING at the Northeast corner of said Section 16 run S02°03'29"W along the East line of the Northeast Quarter (NE 1/4) of said Section 16 for 1,320.13 feet to the Southeast corner of the North Half (N 1/2) of the North Half (N 1/2) of said Section 16; thence run S89°17'56"W for 5216.96 feet to a point on a non-tangent curve and an intersection with the Easterly right of way line of Burnt Store Road, as described in a deed recorded in Official Records Book 4261, at Page 1524, Charlotte County Records; thence run along said Easterly line the following three (3) courses: Northerly along an arc of a curve to the right of radius 11,910.00 feet (delta 00°45'30") (chord bearing N04°00'23"E) (chord 157.66 feet) for 157.66 feet to a point of tangency; N04°23'08"E for 200.00 feet to a point of curvature and Northerly along an arc of a curve to the left of radius 12,090.00 feet (delta 03°43'09") (chord bearing N02°31'34"E) (chord 784.67 feet) for 784.81 feet an intersection with the Southerly line of Parcel Exception "B", as described in a deed recorded in Official Records Book 2004, at Pages 1371 through 1372, Charlotte County Records; thence run S87°51'56"E along said Southerly line for 1,276.90 feet to the Southeast corner of said Parcel Exception "B"; thence run N00°20'16"W along the Easterly line of said Parcel Exception "B" and continuing along the Easterly line of Parcels Exception (A) and Exception (B), as described in a deed recorded in Official Records Book 1979, at Pages 291 through 293, Charlotte County Records, for 1,619.84 feet; thence run N00°19'55"W for 228.70 feet; thence run N89°02'28"E for 3,911.72 feet to an intersection with the East line of the of the Southeast Quarter (SE 1/4) of said Section 9; thence run S00°56'41"E along said East line for 1,624.11 feet to the POINT OF BEGINNING. Containing 296.63 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS 2011) and are based on East line of the of the Southeast Quarter (SE 1/4) of Section 9 to bear S00°56'41"E.

THIS IS NOT A SURVEY	Description to Accompany Sketch Subject Parcel <i>A tract of land lying in Section 9 and 16, Township 42 South, Range 23 East, Lee County, Florida</i>	<i>Not Valid without Sheet 1 of 2</i>
<i>Sheet 2 of 2</i>	 324 Nicholas Parkway W, Unit A Cape Coral, Florida 33991 Phone: (239) 673-9541 www.Ardurra.com License #LB-2610 ARDURRA COLLABORATE. INNOVATE. CREATE.	I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on February 19, 2024 is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes. <i>See Sheet 1 of 2 for Signature and Seal</i> DONALD D. STOUTEN (FOR THE FIRM) FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO 3839 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER

EXHIBIT 3

**Consent and Authorization of Landowner
to the Establishment of a Community Development District
[Proposed Starling Community Development District]**

The undersigned, on behalf of Taylor Morrison of Florida, Inc. ("**Petitioner**"), is the owner of certain lands more fully described on Exhibit A attached hereto and made a part hereof ("**Property**").

Pursuant to Section 190.005, Florida Statutes, the undersigned hereby consents to the establishment of the Starling Community Development District ("**CDD**") that will include the Property within the lands to be a part of the CDD 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 CDD.

This document shall also serve as a designation of Wesley Haber of Kutak Rock LLP, to act as agent for Petitioner with regard to any and all matters pertaining to the *Petition to the Board of County Commissioners of Charlotte County, Florida, to Establish the Starling Community Development District* pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, *Florida Statutes*, Section 190.156(1), *Florida Statutes*.

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 officer executing this instrument.

[SIGNATURE PAGE TO FOLLOW]

Consent and Joinder of Landowner
to the Establishment of a Community Development District
[Proposed Starling Community Development District]

Executed this 12 day of January, 2024.

Witnessed:

TAYLOR MORRISON OF FLORIDA, INC.

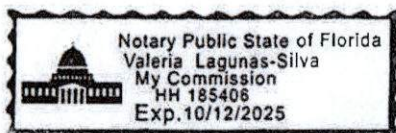

Print Name: Jarret English
Address: 28100 Bonita Grande Dr. Suite 102
Bonita Springs, FL 34135


Print Name: Caspee Lee
Address: 28100 Bonita Grande Dr. Suite 102
Bonita Springs, FL 34135


BY: V. Machesney
ITS: Vice President

STATE OF Florida
COUNTY OF Lee

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 12 day of January 2024, by Valerie Machesney, as an authorized representative of TAYLOR MORRISON OF FLORIDA, INC., and who appeared before me this day in person, and who is either personally known to me, or produced _____ as identification.





NOTARY PUBLIC, STATE OF Florida

Name: Valeria Lagunas-Silva
(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

Exhibit A: Legal Description

Consent and Joinder of Landowner
to the Establishment of a Community Development District
[*Proposed Starling Community Development District*]

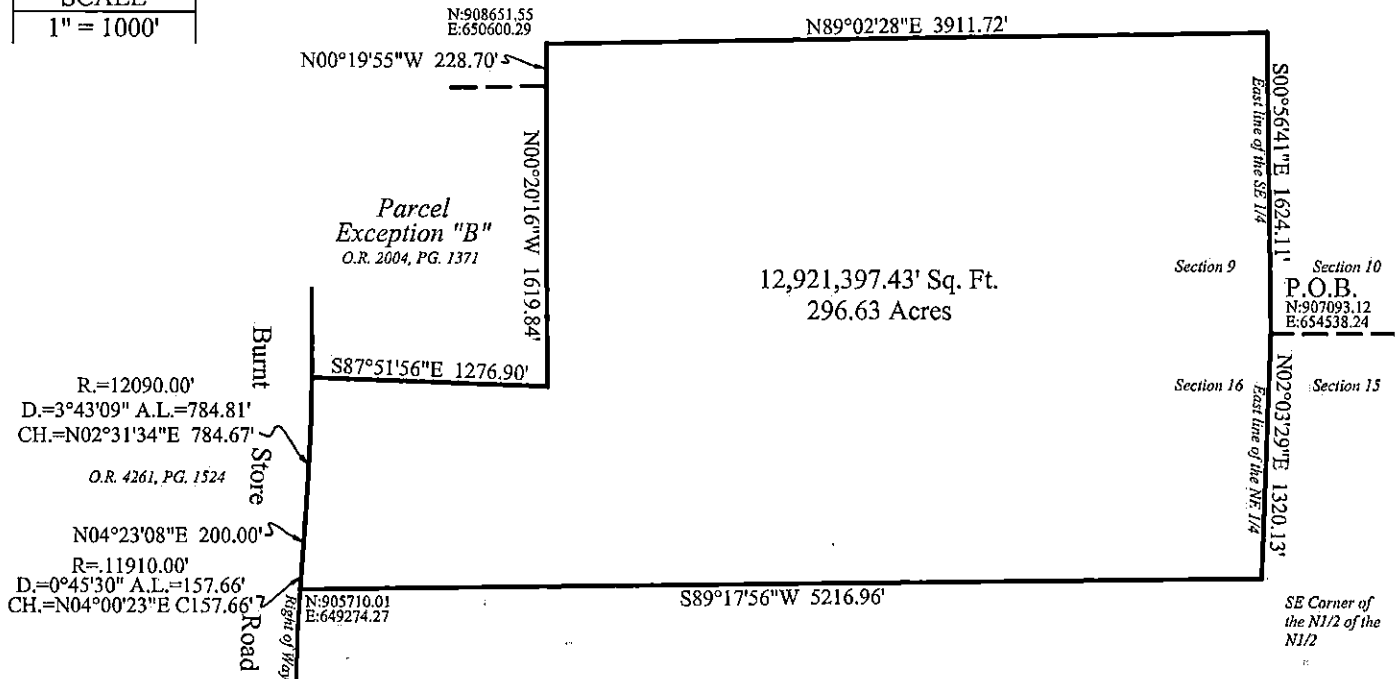
Exhibit A:
Legal Description

Sketch



SCALE

1" = 1000'



SURVEY NOTES:

1. BEARINGS ARE BASED ON EAST LINE OF THE SOUTHEAST (SE 1/4) QUARTER OF SECTION 9 TO BEAR S00°56'41\"E.
2. MEASUREMENTS SHOWN ARE IN FEET AND DECIMALS, THEREOF.
3. **THIS IS NOT A SURVEY**
4. ADDITIONS TO OR DELETIONS OTHER THAN THE SIGNING SURVEYOR AND MAPPER ARE PROHIBITED BY LAW WITHOUT THE EXPRESS WRITTEN CONSENT OF THE SIGNING SURVEYOR AND MAPPER. *COPYRIGHT 2024, ARDURRA GROUP, INC., ALL RIGHTS RESERVED.*
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6. NOT VALID WITHOUT SHEET 2 OF 2.
7. COORDINATES SHOWN HEREON ARE IN REFERENCE TO THE FLORIDA WEST STATE PLANE COORDINATE SYSTEM (ZONE 0902) (NAD 83/2011) AND DETERMINED USING THE FDOT PERMANENT REFERENCE STATION NETWORK (FPRN).

LEGEND:

P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
P.B. = PLAT BOOK
O.R. = OFFICIAL RECORDS BOOK
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Sheet 1 of 2

Sketch to Accompany Description

Subject Parcel

*A tract of land lying in Section 9 and 16,
Township 42 South, Range 23 East, Lee
County, Florida*

SHEET 1 OF 2

JOB # 2023-0878 | PREPARED FOR: Taylor Morrison

SECTIONS 9 and 16, TOWNSHIP 42 S, RANGE 23 E

THIS IS NOT A SURVEY



324 Nicholas Parkway W, Unit A
Cape Coral, Florida 33991
Phone: (239) 673-9541
www.Ardurra.com
License #LB-2610

I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on **February 19, 2024** is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 29-15, Florida Administrative Code, pursuant to Section 202.02, Florida Statutes.

Donald D Stouten
by Donald D Stouten
Stouten
Date: 2024.02.19
3:04:40 -05'00'
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 1222
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Description

Subject Parcel Description:

Description:

A tract or parcel of land lying in Sections 9 and 16, Township 42 South, Range 23 East, Charlotte County, Florida, said tract or parcel of land being more particularly described as follows:

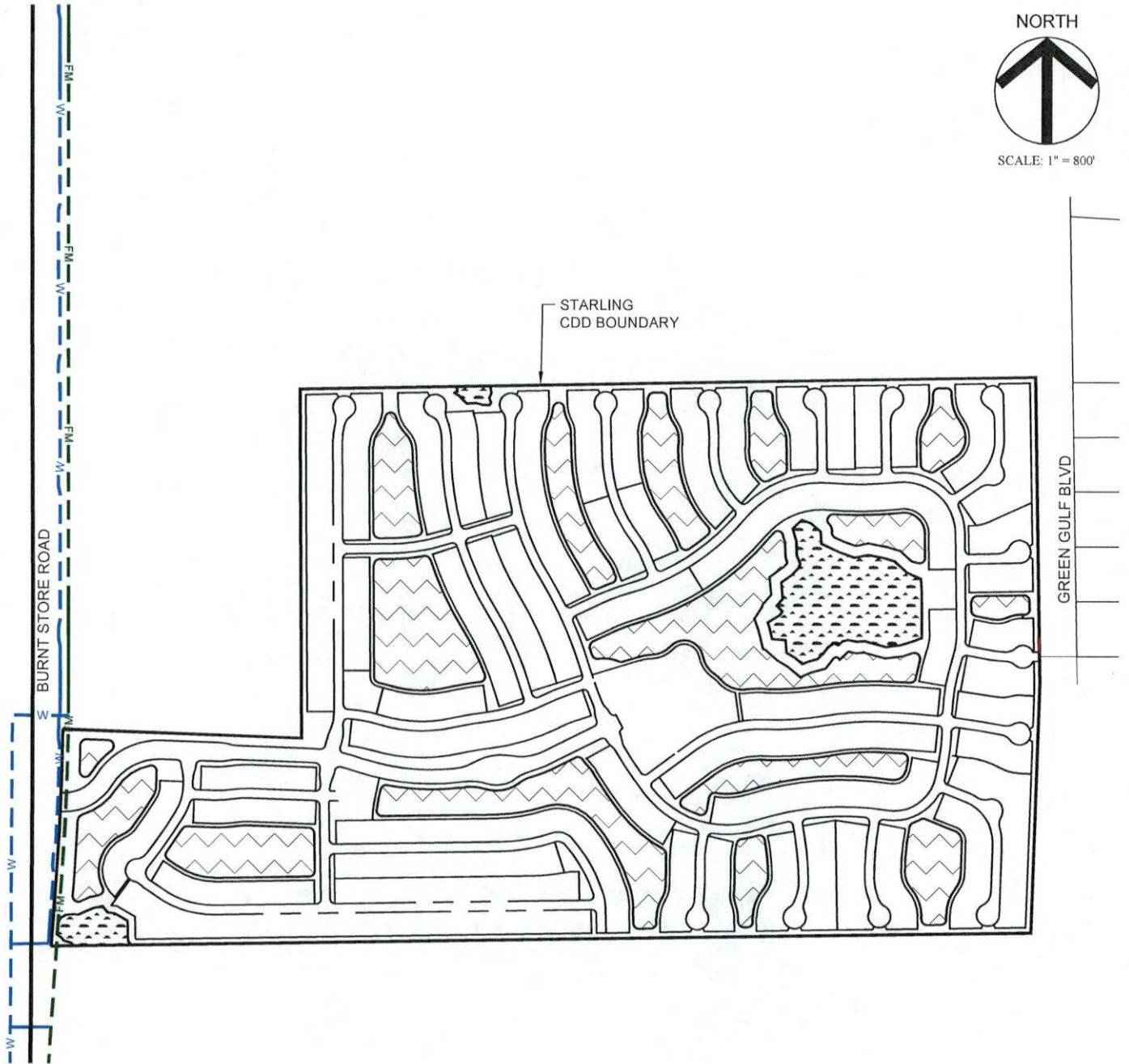
BEGINNING at the Northeast corner of said Section 16 run S02°03'29"W along the East line of the Northeast Quarter (NE 1/4) of said Section 16 for 1,320.13 feet to the Southeast corner of the North Half (N 1/2) of the North Half (N 1/2) of said Section 16; thence run S89°17'56"W for 5216.96 feet to a point on a non-tangent curve and an intersection with the Easterly right of way line of Burnt Store Road, as described in a deed recorded in Official Records Book 4261, at Page 1524, Charlotte County Records; thence run along said Easterly line the following three (3) courses: Northerly along an arc of a curve to the right of radius 11,910.00 feet (delta 00°45'30") (chord bearing N04°00'23"E) (chord 157.66 feet) for 157.66 feet to a point of tangency; N04°23'08"E for 200.00 feet to a point of curvature and Northerly along an arc of a curve to the left of radius 12,090.00 feet (delta 03°43'09") (chord bearing N02°31'34"E) (chord 784.67 feet) for 784.81 feet an intersection with the Southerly line of Parcel Exception "B", as described in a deed recorded in Official Records Book 2004, at Pages 1371 through 1372, Charlotte County Records; thence run S87°51'56"E along said Southerly line for 1,276.90 feet to the Southeast corner of said Parcel Exception "B"; thence run N00°20'16"W along the Easterly line of said Parcel Exception "B" and continuing along the Easterly line of Parcels Exception (A) and Exception (B), as described in a deed recorded in Official Records Book 1979, at Pages 291 through 293, Charlotte County Records, for 1,619.84 feet; thence run N00°19'55"W for 228.70 feet; thence run N89°02'28"E for 3,911.72 feet to an intersection with the East line of the of the Southeast Quarter (SE 1/4) of said Section 9; thence run S00°56'41"E along said East line for 1,624.11 feet to the POINT OF BEGINNING. Containing 296.63 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS 2011) and are based on East line of the of the Southeast Quarter (SE 1/4) of Section 9 to bear S00°56'41"E.

THIS IS NOT A SURVEY	Description to Accompany Sketch Subject Parcel <i>A tract of land lying in Section 9 and 16, Township 42 South, Range 23 East, Lee County, Florida</i>	<i>Not Valid without Sheet 1 of 2</i>
<i>Sheet 2 of 2</i>	 324 Nicholas Parkway W, Unit A Cape Coral, Florida 33991 Phone: (239) 673-9541 www.Ardurra.com License #LB-2610	I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on February 19, 2024 is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes. <i>See Sheet 1 of 2 for Signature and Seal</i> DONALD B. STOUTEN (FOR THE FIRM) FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO.3839 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER

EXHIBIT 4

B:\Projects\1226-500 (Esp at Starling) CDD\Drawings-Exhibits\1226-500-01 CDD EXHIBITS\Current Plans\122650001011.dwg



LEGEND



CDD BOUNDARY



PROPOSED LAKE

FM

EXISTING 16" FORCE MAIN

W

EXISTING 16" WATER MAIN

EXHIBIT 5: EXISTING UTILITIES

PREPARED FOR:

TAYLOR MORRISON OF FLORIDA, INC.
28100 BONITA GRANDE DRIVE SUITE 305
BONITA SPRINGS, FLORIDA 34135

SECTION: TOWNSHIP: RANGE:

16 42S 23E
CHARLOTTE COUNTY, FL

FILE NAME: 122650001011.dwg

SHEET: 10 OF 12

FLORIDA CERTIFICATE OF AUTHORIZATION #8636

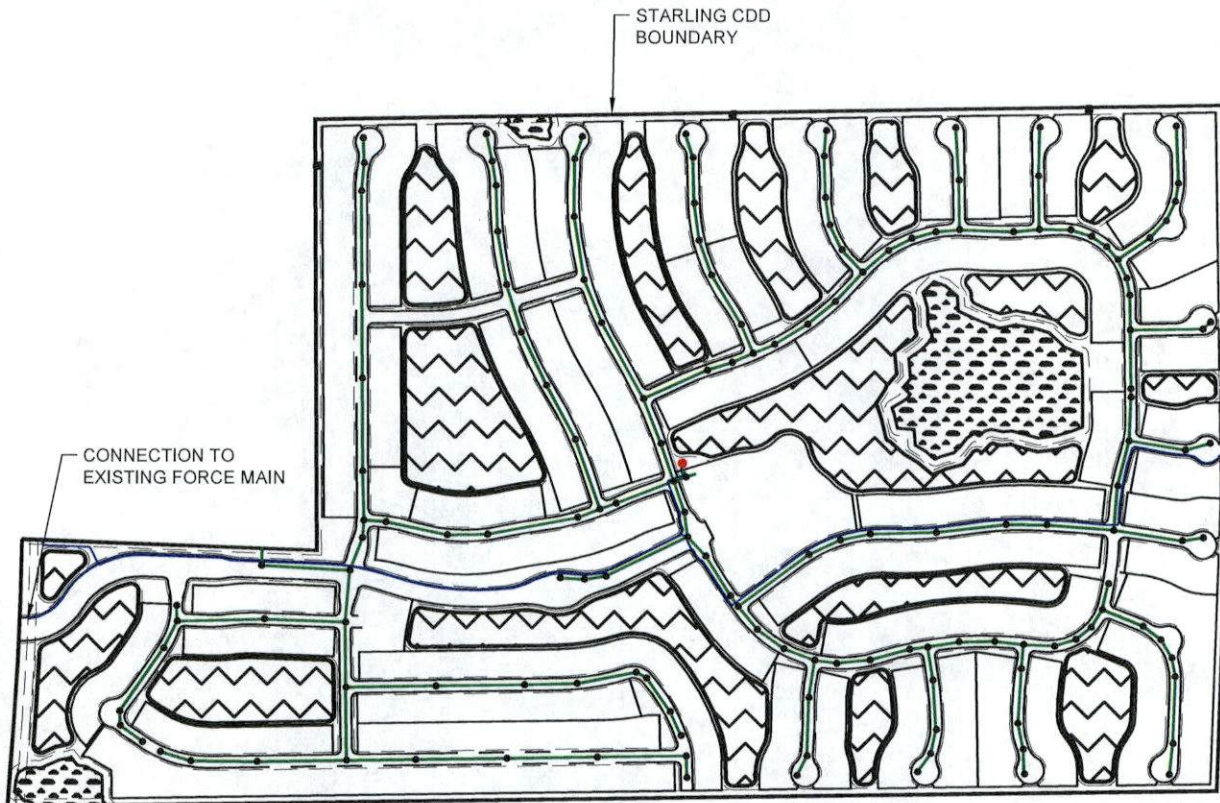
JEREMY H. ARNOLD, P.E.
FL LICENSE NO. 66421



ATWELL
866.850.4200 www.atwell-group.com

28100 BONITA GRANDE DR., SUITE 305
BONITA SPRINGS, FL 34135
239.405.7777

B:\Projects\1226-500 (Esp at Starling) CDD\Drawings-Exhibits\1226-500-01 CDD EXHIBITS\Current Plans\12265000109.dwg



LEGEND

-  CDD BOUNDARY
-  PROPOSED FORCE MAIN
-  GRAVITY SEWER
-  WASTEWATER PUMP STATION

EXHIBIT 4B: WASTEWATER PLAN

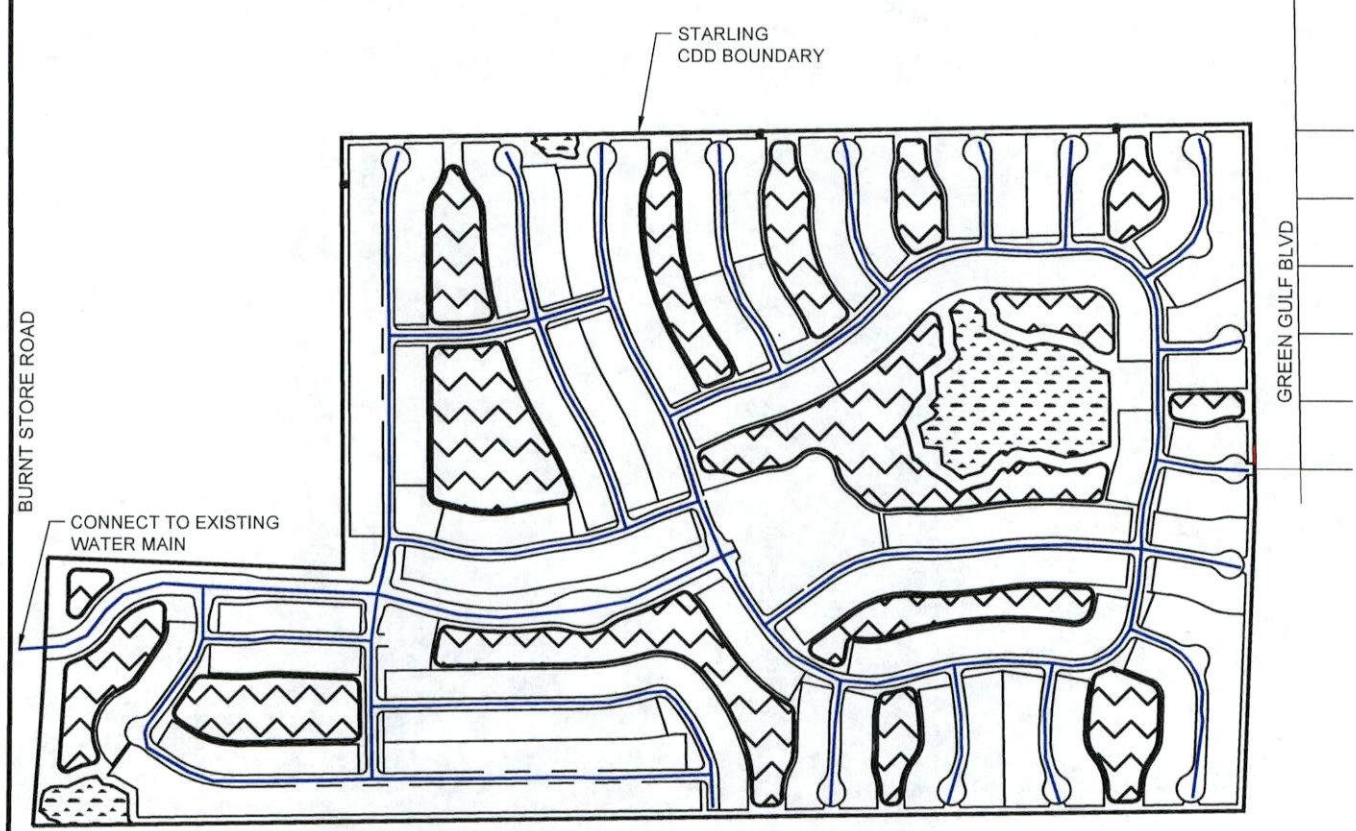
PREPARED FOR:
TAYLOR MORRISON OF FLORIDA, INC.
28100 BONITA GRANDE DRIVE SUITE 302
BONITA SPRINGS, FLORIDA 34135

SECTION: TOWNSHIP: RANGE:
16 42S 23E
CHARLOTTE COUNTY, FL
FILE NAME: 12265000109.dwg
SHEET: 8 OF 12

FLORIDA CERTIFICATE OF AUTHORIZATION #8636
JEREMY H. ARNOLD, P.E.
FL LICENSE NO. 66421



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LEGEND

CDD BOUNDARY

PROPOSED WATER MAIN

EXHIBIT 4C: POTABLE WATER PLAN

PREPARED FOR: TAYLOR MORRISON OF FLORIDA, INC. 28100 BONITA GRANDE DRIVE SUITE 102 BONITA SPRINGS, FLORIDA 34135	SECTION: TOWNSHIP: RANGE: 16 42S 23E	FLORIDA CERTIFICATE OF AUTHORIZATION #8636 JEREMY H. ARNOLD, P.E. FL LICENSE NO. 66421
	CHARLOTTE COUNTY, FL	
	FILE NAME: 122650001010.dwg SHEET: 9 OF 12	



ATWELL
866.850.4200 www.atwell-group.com
28100 BONITA GRANDE DR., SUITE 305
BONITA SPRINGS, FL 34135
239-405-7777

EXHIBIT 5

Improvement	Estimated Cost	Financing Entity	Operation & Maintenance Entity
Earthwork for Stormwater Management	\$3,303,100.94	Developer/CDD	CDD
Stormwater Management Systems	\$3,201,764.71	Developer/CDD	CDD
Potable Water Systems	\$2,581,761.94	CDD	County
Sanitary Sewer Systems	\$4,588,686.16	CDD	County
Perimeter Walls	\$800,000.00	Developer/CDD	CDD
Perimeter Landscaping	\$1,000,000.00	Developer/CDD	CDD
Environmental/Wetland Mitigation	\$750,000.00	CDD	CDD
Off-Site Road Improvements	\$528,676.16	CDD	County
Internal Road Improvements	\$5,500,000.00	Developer	HOA
Professional Services & Permit Fees	\$1,900,000.00	Developer/CDD	N/A
Contingency (10%)	\$2,072,665.55	N/A	N/A
TOTAL	\$26,226,655.46		

NOTE: The figures below are based on estimates only. Also, the developer reserves the right to privately finance any of the above improvements and transfer them to a homeowners' association upon completion for ownership and maintenance. Certain roadways will be gated. The CDD will only finance utilities and stormwater improvements behind such gated areas.

EXHIBIT 6

B:\Projects\1226-500 (Esp at Starling) CDD\Drawings-Exhibits\1226-500-01 CDD EXHIBITS\Current Plans\12265000105.dwg

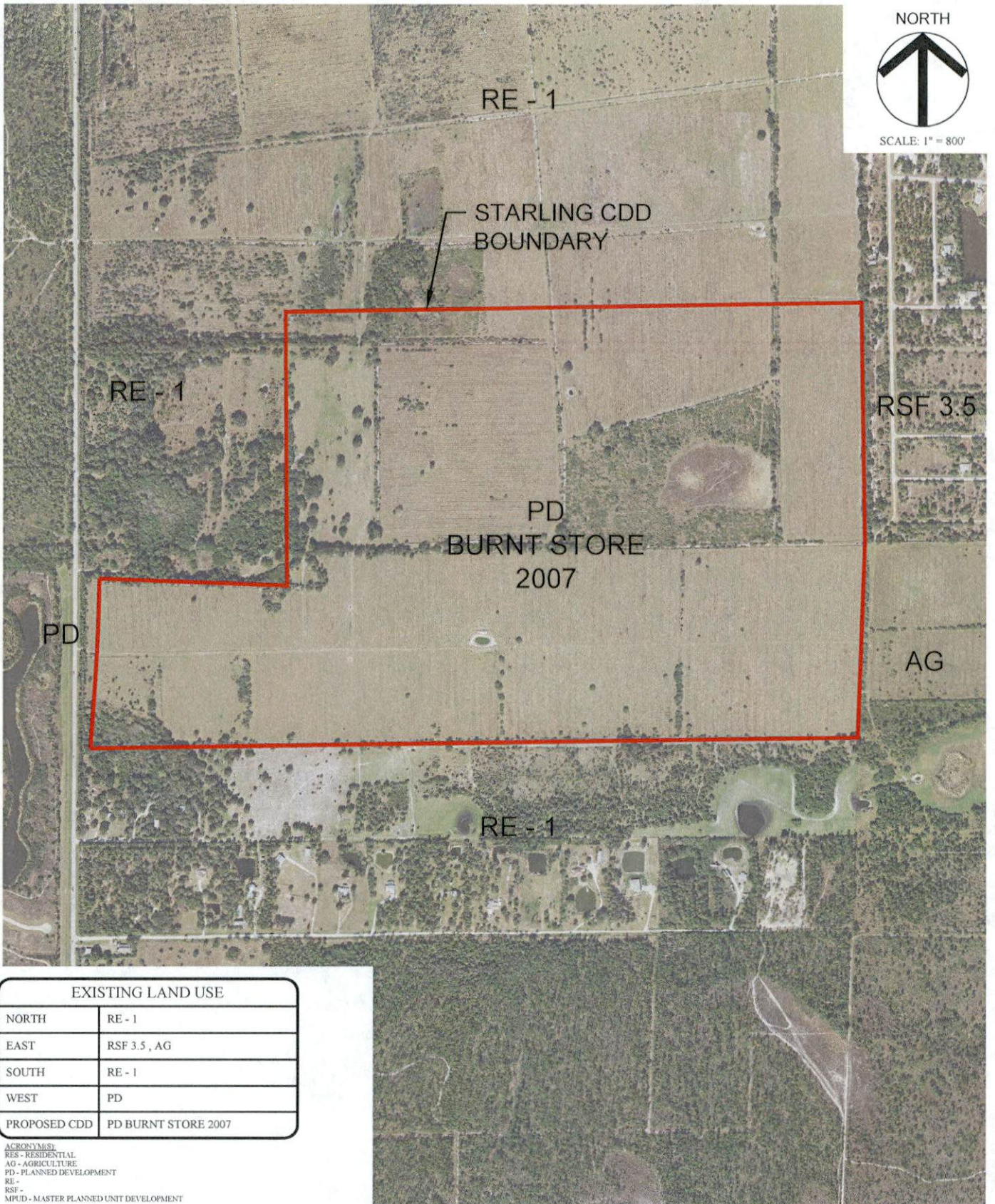


EXHIBIT 3: EXISTING LAND USE MAP

PREPARED FOR:

TAYLOR MORRISON OF FLORIDA, INC.
28100 BONITA GRANDE DRIVE SUITE 102
BONITA SPRINGS, FLORIDA 34135

SECTION: TOWNSHIP: RANGE:

16 42S 23E
CHARLOTTE COUNTY, FL

FLORIDA CERTIFICATE OF AUTHORIZATION #8636

FILE NAME: 12265000105.dwg
SHEET: 5 OF 12

JEREMY H. ARNOLD, P.E.
FL LICENSE NO. 66421



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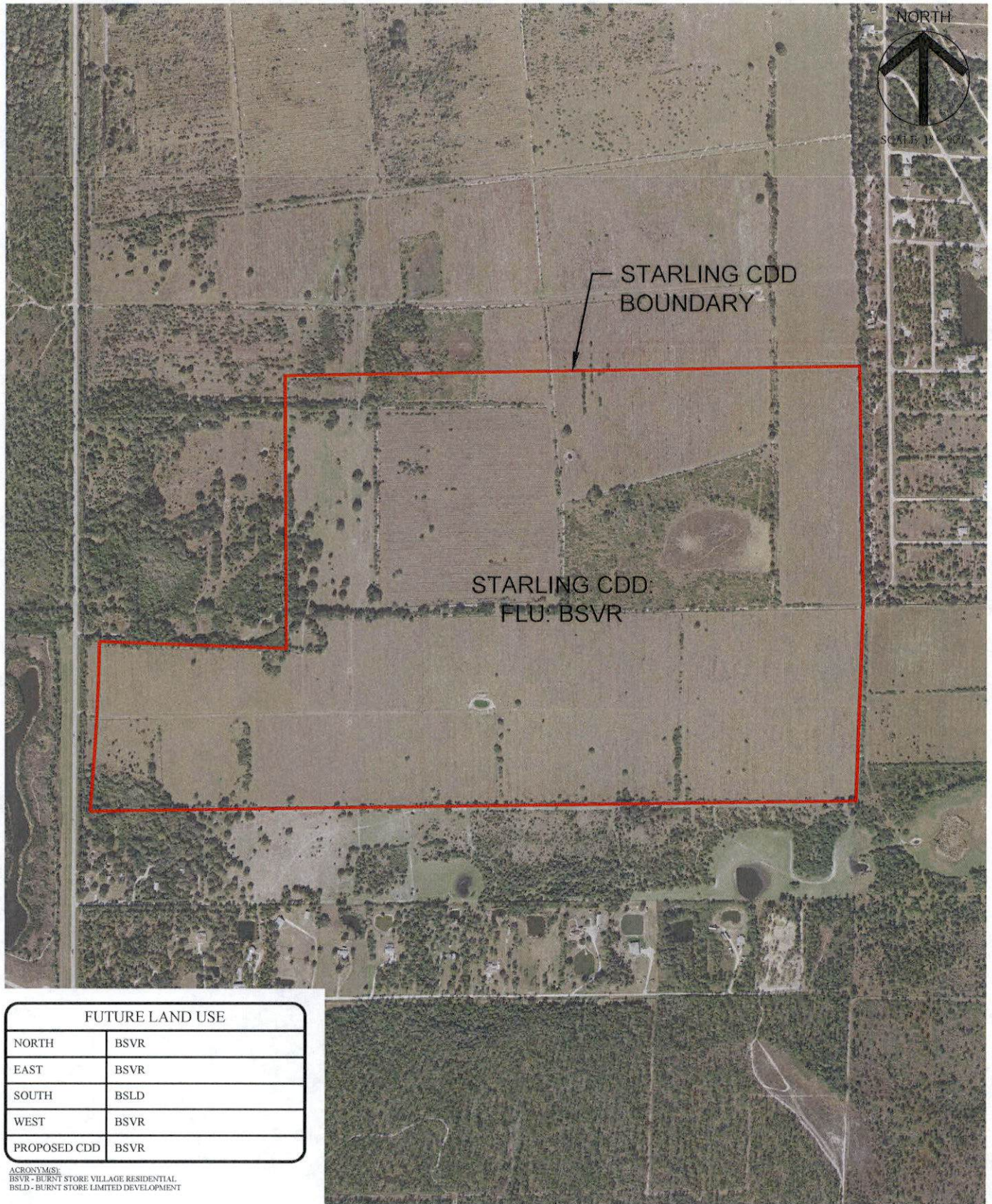


EXHIBIT 6: FUTURE LAND USE MAP

PREPARED FOR:

TAYLOR MORRISON OF FLORIDA, INC.
28100 BONITA GRANDE DRIVE SUITE 102
BONITA SPRINGS, FLORIDA 34135

SECTION: TOWNSHIP: RANGE:
16 42S 23E
COUNTY, FLORIDA

FILE NAME: 122650001012.dwg
SHEET: 11 OF 12

FLORIDA CERTIFICATE OF AUTHORIZATION #6636

JEREMY H. ARNOLD, P.E.
FL LICENSE NO. 66421

ATWELL
866.850.4200 www.atwell-group.com
28100 BONITA GRANDE DR., SUITE 305
BONITA SPRINGS, FL 34135
239.405.7777

EXHIBIT 7

STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs (“SERC”) supports the petition to form the **Starling Community Development District** (the “District”). The proposed District comprises approximately 296.63 acres of land located within Charlotte County, Florida (hereafter “County”). The project is planned for approximately 778 residential units. The limitations on the scope of this SERC are explicitly set out in Section 190.002(2)(d), Florida Statutes, as follows:

“That the process of establishing such a district pursuant to uniform general law shall 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.”

1.2 Overview of the Starling Community Development District

The District is designed to provide community infrastructure, services, and facilities along with operation and maintenance of such facilities and services to the lands within the District. The District will encompass approximately 296.63 acres.

The Development plan for the proposed lands within the District includes approximately 778 residential units. Such uses are authorized for inclusion within the District. A Community Development District (“CDD”) is an independent unit of special purpose local government authorized by Chapter 190, Florida Statutes, to plan, finance, construct, operate and maintain community-wide infrastructure in planned community developments. CDD’s 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), Florida Statutes.

A CDD is not a substitute for the local, general purpose, government unit, e.g., the City/County in which the CDD lies. A CDD does not have the permitting, zoning or general police powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating, and maintaining community infrastructure for planned developments. The scope of this SERC is limited to evaluating the consequences of approving the petition to establish the District.

1.3 Requirements for Statement of Estimated Regulatory Costs

According to Section 120.541(2), Florida Statutes, a statement of estimated regulatory costs must contain:

(a) An economic analysis showing whether the rule¹ directly or indirectly: 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; 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 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 and local revenues.

(d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule. As used in this paragraph, "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, and 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 Section 288.703, Florida Statutes, and an analysis of the impact on small counties and small cities defined by Section 120.52, Florida Statutes. 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.

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

(g) In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under Section 120.541(1)(a), Florida Statutes, and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

2.0 Adverse impact on economic growth, business competitiveness or increased regulatory costs, in excess of \$1 million.

The creation of the District will not meet any of the triggers in Section 120.541(2)(a), Florida Statutes. The basis for this determination is provided in the discussions in Section 3.0 through

¹ For the purposes of this SERC, the term "agency" means the City, the term "state" or "State" means State of Florida and the term "rule" means the ordinance(s) which the City would enact in connection with the creation of the District.

Section 6.0 of this SERC.

3.0 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.

As noted above, the District is a community designed for approximately 778 residential units. Formation of the District would put all of these units under the jurisdiction of the District. Prior to sale of any units, all of the owners of land within the proposed boundaries will also be under the jurisdiction of the District. Initially, Taylor Morrison of Florida, Inc. ("Developer") will be the primary developer and sole landowner of property within the proposed District boundaries.

4.0 Good faith estimate of the cost to state and local government entities of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.

4.1 Costs of Governmental Agencies of Implementing and Enforcing Rule

State Government Entities

There will be only modest costs to various State governmental entities to implement and enforce the proposed formation of the District. The District as proposed will encompass under 2,500 acres, therefore the County is the establishing entity under sections 190.005(2), (2)(e), Florida Statutes. The modest costs to various State entities to implement and enforce the proposed rule relate strictly to the receipt and processing of various reports that the proposed District is required to file with the State and its various entities. The costs to those State agencies that will receive and process the District's reports are very small, because the District is only one of many governmental units that are required to submit such reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to section 189.018, Florida Statutes, the proposed District must pay an annual fee to the State of Florida's Department of Economic Opportunity, which offsets such costs.

Charlotte County

The County and its staff will process and analyze the petition, conduct a public hearing with respect to the petition, and vote upon the petition to establish the District. These activities will absorb some resources. However, the filing fee required by Chapter 190, Florida Statutes, is anticipated to cover the costs for review of the petition for establishment.

These costs to the County are 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 much of the information needed for a staff review. Third, local governments already possess the staff needed to conduct the review without the need for new or additional staff. Fourth, there is no capital required to review the petition. Finally, local governments routinely process similar petitions for land uses and zoning changes that are far more complex than the petition to establish a CDD.

The annual costs to the County because of the establishment of the District are minimal. The proposed District is an independent unit of local government. The only annual costs the County

faces are the minimal costs of receiving and reviewing the various reports that the District is required to provide to the County. Furthermore, the County will not incur any quantifiable on-going costs resulting from the on-going administration of the District. As previously stated, the District operates independently from the County, and all administrative and operating costs incurred by the District relating to the financing and construction of infrastructure are borne entirely by the District and its landowners.

4.2 Impact on State and Local Revenues

Adoption of the proposed rule will have no negative impact on State and local revenues. The District is an independent unit of local government. It is designed to provide community facilities and services to serve the development. It has its own sources of revenue. No State or local subsidies are required or expected.

In this regard it is important to note that any debt obligations incurred by the District to construct infrastructure or facilities, or for any other reason, are not debts of the State or the County. In accordance with State law, debts of the District are strictly the District's own responsibility.

5.0 A good faith estimate of the transactional costs that are likely to be incurred by individuals and 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. It is anticipated that the potable water, sanitary sewer and reclaimed utility systems; master stormwater system; electrical undergrounding; gas; conservation/mitigation areas; and onsite and offsite roadway improvements may be financed by the District.

The petitioner has estimated the design and development costs for providing the capital facilities. The cost estimates are also shown in Table 1 below. The District may issue special assessments or other revenue bonds to fund the development of these facilities. These bonds would be repaid through non-ad valorem assessments levied on all developable properties in the District that may benefit from the District's capital improvement program.

**Table 1.
Starling CDD Proposed Facilities and Services**

Improvement	Estimated Cost	Financing Entity	Operation & Maintenance Entity
Earthwork for Stormwater Management	\$3,303,100.94	Developer/CDD	CDD
Stormwater Management Systems	\$3,201,764.71	Developer/CDD	CDD
Potable Water Systems	\$2,581,761.94	CDD	County
Sanitary Sewer Systems	\$4,588,686.16	CDD	County
Perimeter Walls	\$800,000.00	Developer/CDD	CDD
Perimeter Landscaping	\$1,000,000.00	Developer/CDD	CDD

Environmental/Wetland Mitigation	\$750,000.00	CDD	CDD
Off-Site Road Improvements	\$528,676.16	CDD	County
Internal Road Improvements	\$5,500,000.00	Developer	HOA
Professional Services & Permit Fees	\$1,900,000.00	Developer/CDD	N/A
Contingency (10%)	\$2,072,665.55	N/A	N/A
TOTAL	\$26,226,655.46		

Landowners in the District may be required to pay non-ad valorem assessments levied by the District to secure the debt incurred through bond issuance. In addition to the levy of non-ad valorem assessments for debt service, the District may also impose non-ad valorem assessments to fund the operation and maintenance of the District and its facilities and services.

It is important to recognize that buying property in the District is completely voluntary. Ultimately, all owners and users of property within the District choose to accept the non-ad valorem assessments as a tradeoff for the numerous benefits and facilities that the District provides.

A CDD provides property owners with the option of having a higher level of facilities and services financed through self-imposed charges. The District is an alternative means to finance necessary community facilities and services. District financing is no more expensive, and often less expensive, than the alternatives of a municipal service taxing unit (MSTU), a neighborhood association, or through developer equity and/or bank loans.

In considering these costs it shall be noted that occupants of the lands to be included within the District will receive four major classes of benefits.

First, those property owners and businesses in the District will receive a higher level of public services sooner than would otherwise be the case.

Second, a District is a mechanism for assuring that the community services and amenities will be completed concurrently with development of lands within the District. 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 governance which allows District landowners, through landowner voting and ultimately electoral voting for resident elected boards, to determine the type, quality and expense of the District services they receive, provided they meet the County's overall requirements.

Fourth, the District has the ability to maintain infrastructure better than a Homeowners' Association because it is able to offer a more secure funding source for maintenance and repair costs through assessments collected on the county tax bill pursuant to section 197.3632, Florida Statutes.

The cost impact on the ultimate landowners in the District is not the total cost for the District to

provide infrastructure services and facilities. Instead, it is the incremental costs above what the landowners would have paid to install infrastructure via an alternative financing mechanism. Given the low cost of capital for a CDD, the cost impact to landowners is negligible. This incremental cost of the high-quality infrastructure provided by the District is likely to be fairly low.

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

There will be no impact on small businesses because of the formation of the District. If anything, the impact may be positive. This is because the District must competitively bid many of its contracts, affording small businesses the opportunity to bid on District work, and may also result in a need for additional retail and commercial services that afford small businesses and opportunity for growth.

Charlotte County has an estimated un-incarcerated population that is greater than 75,000 according to the 2020 U.S. Census. Therefore, the County is not defined as a “small county” according to section 120.52(19), Florida Statutes.

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 Developer’s Engineer and other professionals associated with the Developer.

8.0 In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under Section 120.541(1)(a), Florida Statutes, and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

There have been no good faith written proposals submitted to the agency as described in section 120.541(1)(a), Florida Statutes.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

March 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. 2024-007, which was filed in this office on March 26, 2024.

Sincerely,

Matthew Hargreaves
Administrative Code and Register Director

MJH/wlh



Ticket# 3922438-1
BCC 03.26.24
AD ID# 3922440
5 x 11.5
Submitted by: Kimberly Sargent
Publish: 03/11/24
163352 3922440

**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)

03/11/24

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 11th day of
March, 2024

(Signature of Notary Public)



Personally known X OR Produced Identification

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, MARCH 26, 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, 18509 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-committees/planning-zoning-board/agenda.shtml>.

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 941-761-4933 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

PETITIONS

LAND USE CONSENT AGENDA

FP-21-04-11

Quasi-judicial

Commission District II

On behalf of Lennar Homes, LLC, Banks Engineering is requesting a Bond Reduction and First Amendment to Development Agreement to reduce the amount of the approved surety provided under Letter of Credit No. FGAC-21023, issued by Fidelity Guaranty and Acceptance Corp., in the amount of \$3,337,132.50 to \$182,125.00 for the completion of the remaining final lift of asphalt for Heritage Landing Phase II B. The subdivision, consisting of 174 residential lots and one multi-family tract, was granted Final Plat approval by the Board of County Commissioners on April 26, 2022. The site contains 196.11± acres and is generally located northwest of Burnt Store Road (Rd), south of Poppy Field Loop, and east of the Peace River, in the South County area, within the Heritage Landing Development of Regional Impact (DRI), and in Commission District II.

FP-21-09-18

Quasi-judicial

Commission District II

On behalf of Wilmington Land Company, Banks Engineering is requesting a Bond Reduction and First Amendment to Developer's Agreement to reduce the amount of the approved surety provided under Bond No. GM220361, issued by Great Midwest Insurance Company, in the amount of \$4,505,973.73 to \$1,505,575.28 for the completion of the remaining improvements for the subdivision named, Heritage Station. The subdivision, consisting of 130 lots and 8 tracts, was granted Final Plat approval by the Board of County Commissioners on February 28, 2023. The site contains 85.47± acres and is generally located north of Yacht Club Boulevard, south of River Birch Court, west of Burnt Store Road, east of Jolly Rodger Boulevard, in the Punta Gorda area, and in Commission District II.

LAND USE REGULAR AGENDA

SV-23-14-07

Legislative

Commission District II

Jeffrey M. Devine is requesting to vacate the unnamed 15 foot alleyway lying between Lots A through G and the remainder of Lot 1, Block 29, Holyman's Subdivision, as recorded in Plat Book 1, Page 22, of the Public Records of Charlotte County, Florida. The total area to be vacated is 3,123± square feet and is generally located north and parallel to Cleveland Ave., north and perpendicular to Beechwood St., south of Riverside Dr. and parallel to Griffith Ave., within the Punta Gorda area and located in Commission District II.

CDD-24-01

Legislative

Commission District II

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 XX: Starling Community Development District (CDD); providing for new Section 4-3.5-250, Authority; providing for new Section 4-3.5-251, District Name; providing for new Section 4-3.5-252, District External Boundaries; providing for new Section 4-3.5-253, District Powers and Functions; providing for new Section 4-3.5-254, Board of Supervisors; providing for additional requirements; and providing for severability; Petition No. CDD 21-01, Applicant Taylor Morrison of Florida, Inc.; providing for an effective date. The proposed CDD includes three parcels. One parcel is located at 14100 Burnt Store Road and two parcels are located south of Notre Dame Boulevard, east of Green Gulf Boulevard, in the Burnt Store Area Plant area, in the Punta Gorda area, and in Commission District II. The site contains 296.65± acres.

TLDR-23-03, Revisions to Section 3-9-100.1: Buffers

Legislative

County-wide

An Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Charlotte County Code Chapter 3-9: Zoning, Article IV: Site Design Standards and Requirements, Section 3-9-100.1, Buffers, by 1) revising Exhibit 2, Table of Minimum Buffer Requirements, to remove the buffer requirement for storage yards located on properties zoned Industrial General (IG) or Industrial Intensive (II), which also properties zoned IG or II; and 2) amending subsection (d) Special provisions, (1) to remove such buffer requirement; providing for a fencing requirement for such uses; providing for conflict with other Ordinances; providing for inclusion in the Charlotte County Code, providing for conflict with other Ordinances; providing for severability; and providing for an effective date. Application Number: TLDR 23-03, Applicant: Charlotte-Desoto Building Industry Association.

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 Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.761.4191, TDD/TTY 941.743.1234, or by email to David.Lydes@CharlotteCountyFL.gov.



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