

Application No.
PP-07-08-14
(Preliminary Plat
Extension Request)

Applicant
Ainger Creek Properties, LLC

Quasi-Judicial

Commission Dist. III



MEMORANDUM

Date: September 22, 2015

To: Planning and Zoning Board

From: Steven A. Ellis, Planner II *SAE*
Community Development / Zoning

Subject: PP-07-08-14, Ainger Creek
Three-year Extension Request

Banks Engineering, on behalf of their client, Ainger Creek Properties, LLC, is requesting a three-year extension for the Preliminary Plat approval for Ainger Creek Development subdivision. The Board of County Commissioners originally granted Preliminary Plat approval on November 20, 2007. The Planning and Zoning board allowed a two-year extension in 2009. Another extension was provided by the State Legislature in 2011, under the terms of Section 73, Chapter 2011-139, Laws of Florida.

The subdivision, consisting of 122 residential lots (for cluster housing) on 31.12 acres, more or less, is located north and west of the Catfish Waterway, east of Lampp Drive, and south of the Sarasota County line, in Section 5, Township 41 South, Range 20 East, in Commission District III.

Charlotte County Code Section 3-7-33, Limit of Approval, states, "The Preliminary Plat approval shall be voided if construction work is not substantially completed, as determined by the county engineer, within two (2) years after approval of preliminary plat, unless an extension is requested from and granted by the Planning and Zoning Board. 'Substantially complete' means the commencement and diligent prosecution of construction and installation of required improvements to completion. If construction activity and development ceases for a period of two (2) years, the approval is void and the applicant must file for a new approval and pay the current fee."

Due to poor economic conditions, the applicant needs additional time to complete the project.

Community Development recommends approval of the three (3) year extension request for Petition #PP-07-08-14.

CHARLOTTE COUNTY COMMUNITY DEVELOPMENT
Zoning

18400 Murdock Circle, Port Charlotte, FL 33948
Phone: 941-764-4954 | Fax: 941-743-1598



Community Development

CHARLOTTE COUNTY

Location Map for PP-07-08-14E

Charlotte County Government

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05/41/20 West County

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Community Development

CHARLOTTE COUNTY

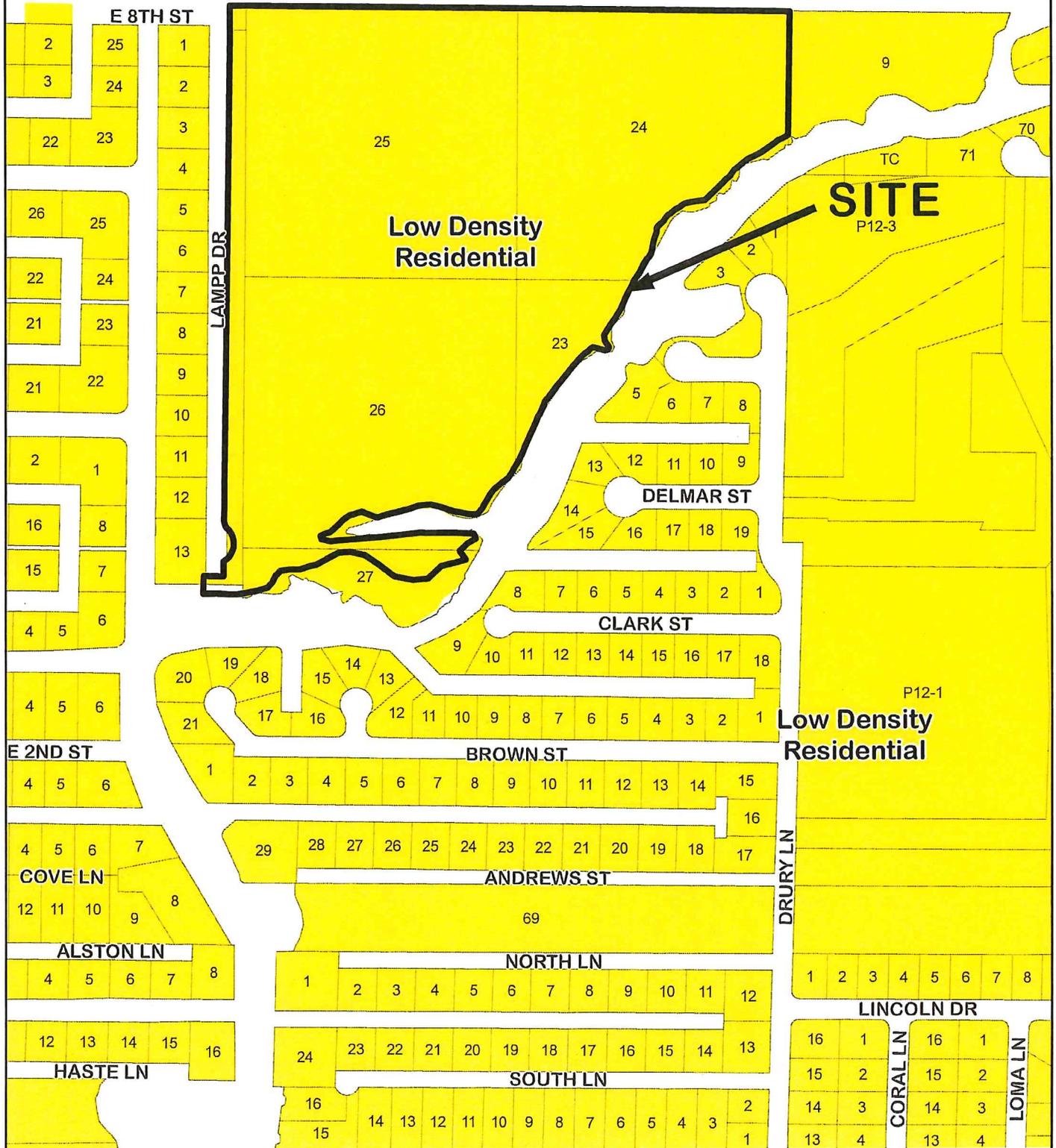
Future Land Use Map for PP-07-08-14E

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SARASOTA COUNTY



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Community Development

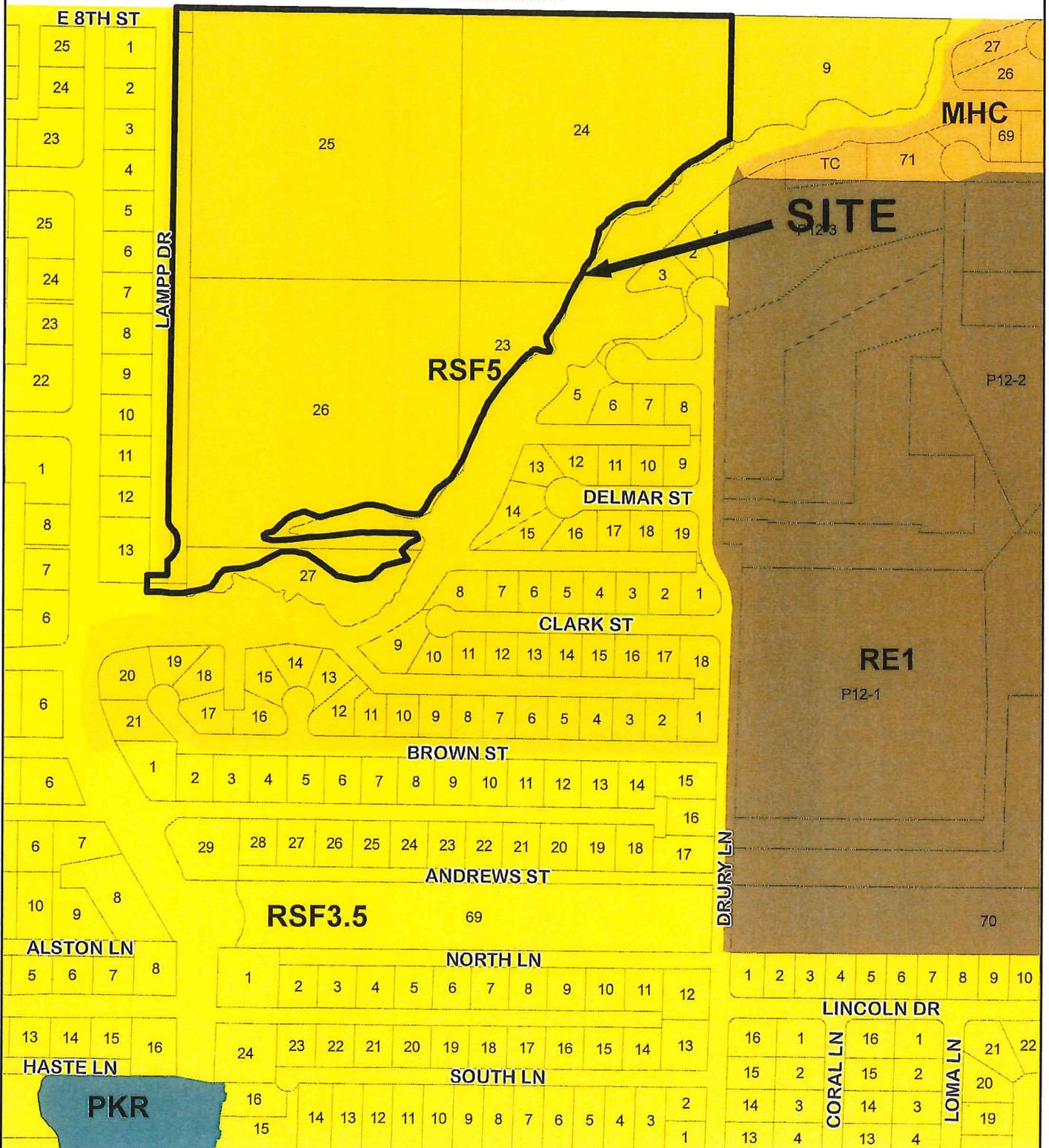
CHARLOTTE COUNTY Zoning Map for PP-07-08-14E

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SARASOTA COUNTY



05/41/20 West County

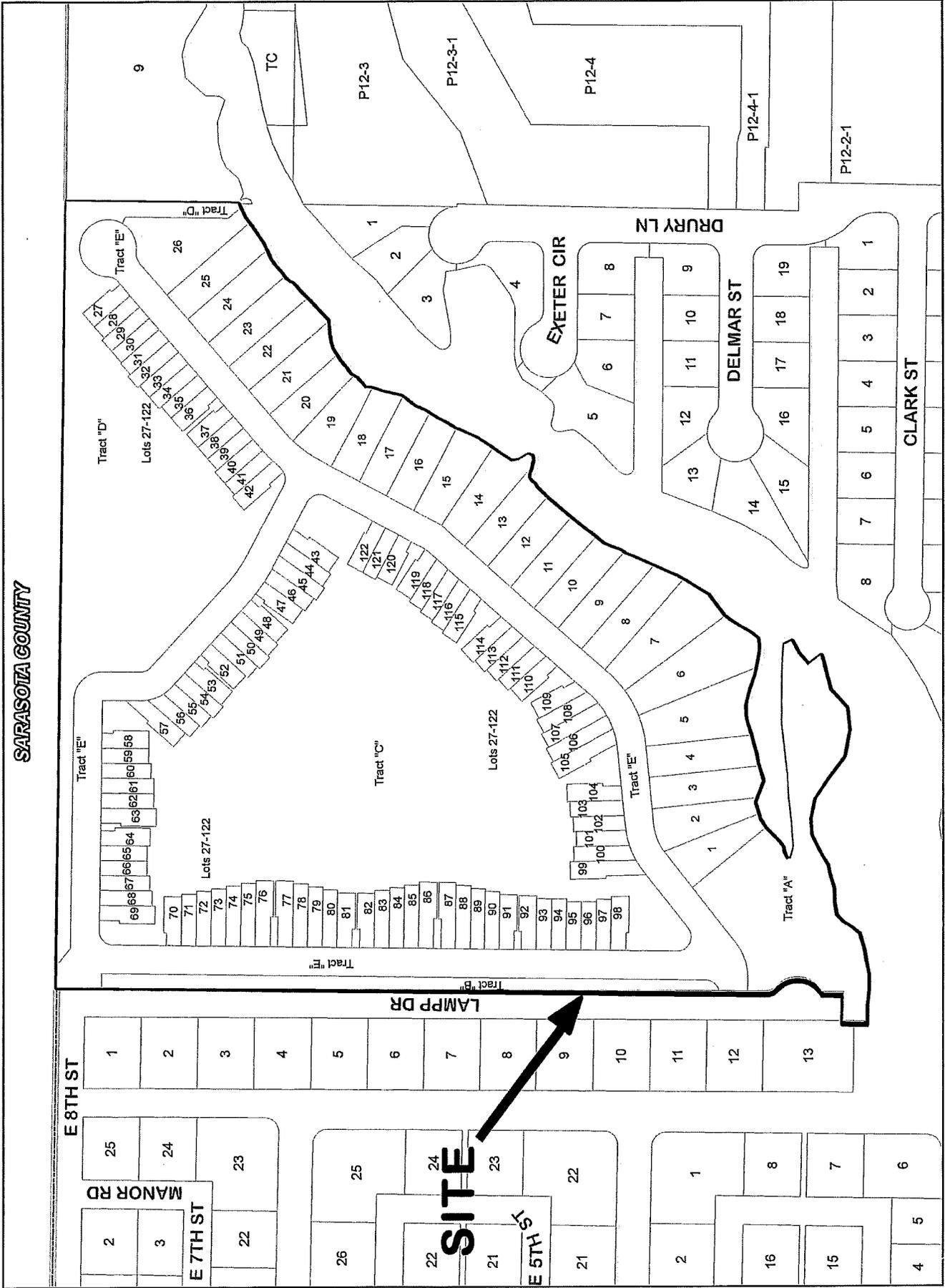
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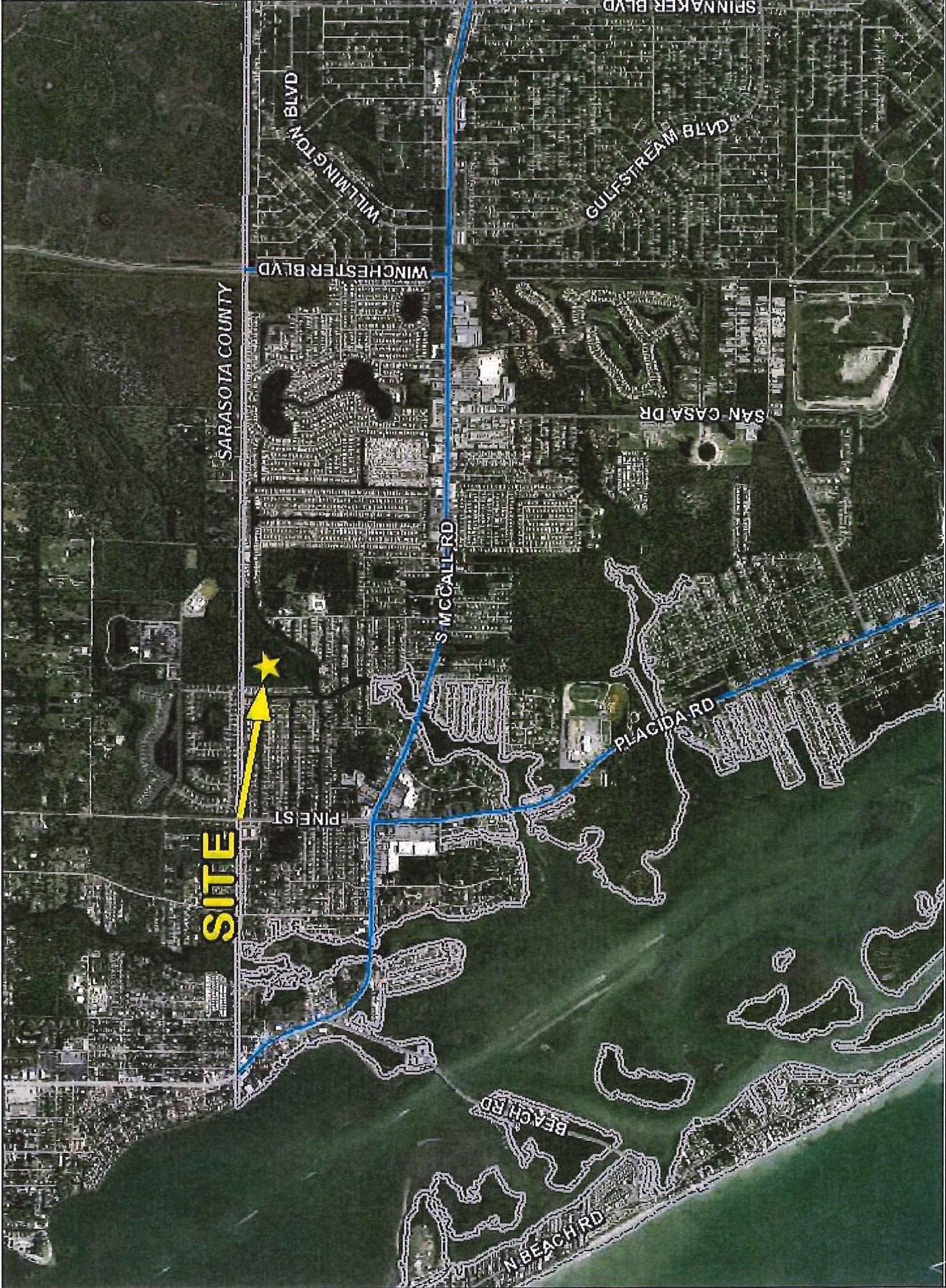


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PP-07-08-14E - Proposed Changes



PP-07-08-14E - 2014 Aerial View



Professional Engineers, Planners & Land Surveyors

August 25, 2015

Mr. Steven Ellis
Charlotte County Land Development
18400 Murdock Circle
Port Charlotte, Florida 33948

**RE: AINGER CREEK DEVELOPMENT
PETITION #PP-07-08-14
PRELIMINARY PLAT EXTENSION REQUEST**

Dear Mr. Ellis:

On behalf of our client, Ainger Creek Properties, LLC, please accept this letter as a formal request to extend the current preliminary plat application for three (3) years for the above referenced project.

Thank you for your consideration and should you have any questions or need additional information, please contact our office.

Sincerely,
BANKS ENGINEERING

A handwritten signature in blue ink that reads "H. Polito". The signature is fluid and cursive.

Heather Polito
Permit Technician

Cc: file, Ainger Creek Properties

S:\Jobs\39xx\3996\Documents\County\Plat\3996_Ellis_Plat Extension Letter.docx

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12653 SW County Road 769, Suite B, Lake Suzy, FL 34269 • (941) 625-1165 • Fax (941) 625-1149
www.bankseng.com

CHARLOTTE COUNTY
Preliminary/Final Plat Application Form
(Must have Preliminary DRC approval before submitting)

Date Received Preliminary: <u>Aug. 20, 2007</u> Final:	Petition #: <u>PP-07-08-14</u>
Receipt #: <u>890557</u>	Amount Paid: <u>\$1,771.00</u>

Please provide the following with your preliminary application:

- Letter of intent
- Thirty-five (35) sets of proposed plans for your subdivision
- Filing Fee: \$1771.00
- 35 copies proposed plans on 11" x 17" paper
- Disk in PDF format of Proposed Plat, and all graphics submitted with application
- Copy of Preliminary DRC approval letter
- Disk in .DWG AutoCad format or .DXF universal cad format

1. Name of proposed subdivision: Ainger Creek Development
2. Name of applicant*: Ainger Creek Properties, LLC Phone: 727-828-0580
Address: 4250 Central Ave City: St. Petersburg Zip: 33711
3. Name of local agent: _____ Phone: _____
Address: _____ City: _____ Zip: _____
4. Owner(s) of record*: S.A.A. Phone: _____
Address: _____ City: _____ Zip: _____
5. Land surveyor: Pilgreen Engineering, Inc. Phone: 334-272-2697
Address: 3201 Bell Road City: Montgomery, AL Zip: 36116
6. Engineer: The Weiler Engineering, Corp. Phone: 941-764-6447
Address: 20020 Veterans Blvd City: Pt. Charlotte Zip: 33954
Suite 7-9
7. Attorney: Robert H. Berntsson Phone: 941-255-5480
Address: 18501 Murdock Circle City: Pt. Charlotte Zip: 33948

* Any person or entity holding real property in the form of a partnership, limited partnership, corporation, trust, or in any form of representative capacity whatsoever for others, shall in this application disclose the name and address of every person having a beneficial interest in the real property however small and attach list to this application.

8. Property Location: Section 5 Township: 41 Range: 20

Legal Description of Property: (do not put see attached) Lots 24, 25, and 26 Grove City Land Company's Subdivision Plat Book 1, Page 11 and other

lands described in acreage Sec. 5, Twn 41 S, R 20 E, Char. County, FL

	0069813-000340-1	0069816-001000-7	0069813-000000-2
Property ID# (required)	0069816-000500-4	0069813-000300-9	0069813-000500-7

9. Has an administrative interpretation of the Comprehensive Plan ever been applied for or received for subject property or proposed development? (e.g., Vested Rights, Future Land Use Map Boundary Clarification, Representations Previously Made, Deed Restrictions, Sales Maps, or Master Plan Maps, or Master Plan Maps Registered with the State Division of Land Sales). If so, PLEASE PROVIDE A COPY OF THIS INTERPRETATION.

Date: N/A

Type: _____

Has this property been the subject of a public hearing within the last six (6) months?

Yes No If yes, in whose name: Ainger Creek Properties

Petition number: DRC-P-07-17pp

Hearing Held by:

Date:

Board of County Commissioners _____

Planning and Zoning Board _____

Development Review Committee (DRC) May 17, 2007
(attach all Department comments and decision letters)

PLEASE ATTACH COPY OF MINUTES OR NOTICE OF DECISION

10. Has this property been platted before?

Yes No If yes, in what name: Grove City Land Company's Subd.

Date Recorded: July, 1893

Has the previous plat been vacated? Yes No

PP 07-08-14

11. Future Land Use Map Designation: Low Density Residential

Existing zoning: RSF 5

Number of lots allowed: 155.6 Number of lots proposed: 122

Minimum lot size: _____ Minimum lot dimension: _____

Total acreage: 31.12 acres Total Density: 3.920 units/acre

12. Type of proposed development:

- single family
- mobile home
- multi-family
- commercial
- industrial
- planned development

13. Will the proposed development require any rezoning? Yes _____ No

If yes, please indicate proposed zoning: _____

14. Has any variance, exception, or special permit concerning this property been granted by the Board of Zoning Appeals? Yes No _____

If yes, please specify: Special Exception for Cluster Housing - Approval of petition number #SE-07-02

15. Is any variance from the subdivision requirements anticipated or requested: Yes _____ No

If yes, please specify: _____

16. Is this proposed plat part of a Development of Regional Impact (DRI)? Yes _____ No

If yes, name the DRI and specify how this plat complies with the DRI development approval:

17. Is the proposed subdivision located within a flood hazard zone as established by F.E.M.A.?

Yes No _____ If yes, please specify: Flood Zone AE Elev. 10.0

18. What is the proposed minimum elevation of road crown and of the lots?

Road: 8.0 feet above mean sea level Lot: 8.7 feet above mean sea level

Existing elevation ranges from an average low of 3 to an average high of 8 feet above mean sea level _____.

Elevations based on NGVD -1929 NGVD-1988

19. What type of sanitary water and sewer facilities are proposed?

- a. _____ septic tanks
- b. X centrally collected and treated sewer
- c. _____ wells
- d. X treated and centrally distributed water
- e. X if "d" is checked, hydrants and 6" line is required as minimum

20. Provide letter of availability from each utility for water and sewer service. Applicant is to provide a notarized developer's letter of intent as required by C.C.C. Sec. 3.7.56 (1) Article III. Please find attached letter of availability from the EWD.

21. If any combination of proposed utilities using wells and/or septic tanks are proposed, please attach a statement from the Charlotte County Health Department verifying that the systems are acceptable based on the proposed subdivision.

N/A

22. Has applicant requested any soil survey from the Soil Conservation Department? Yes ___ No X

23. Has applicant made initial contact with the Charlotte County Engineer? Yes X No ___
If private roads are proposed a letter from the County Engineer approving the design concept of the roads is required. Please see attached DRC comments and Approval.

a. The rights-of-way for this proposed subdivision are to be:

_____ dedicated	<u>X</u> private
<u>X</u> paved to County specifications	_____ paved not to County specifications
_____ unpaved	_____ existing dedicated roads

24. Provide a written description of any environmental conditions existing on the site including flora and fauna. The County may require additional information including a professional report. Please find attached Environmental Assessments.

25. Do any natural bodies of water exist on property? Yes ___ No X

If yes, please state if it is tidal: _____ -

26. Is any excavation in any form proposed? Yes X No ___

If yes, please indicate the type (canal, lake, etc.) and proposed use (navigable, drainage, scenic,

etc.):

Interior Lake for Drainage

27. Will the resultant water be fresh, brackish, or salt? Fresh

If fresh, has applicant provided for control of aquatic weeds? Explain: An aquatic weed program will be in place and within the future association responsibility

28. Is the proposed subdivision to be developed in phases or is it all to be developed initially?

All initially

29. Is the subdivision to be developed prior to the filing of the final plat? Yes ___ No X If no, is it the desire of the applicant to post a bond acceptable to the Board of County Commissioners under conditions of the Charlotte County Subdivision Regulations?

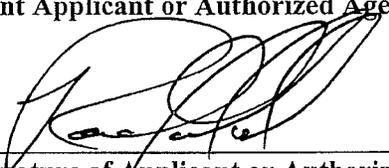
Yes

AFFADAVIT

I, the undersigned, being first duly sworn, depose and say that I am the owner, attorney-in-fact, agent or lessee of the property described and which is the subject matter attached of the proposed hearing, that data and other supplementary matter attached to and made part of the application, are honest and true to the best of my knowledge and before a hearing can be held, and that I am authorized to sign this application by the owner, or owners.

Ron Greenland

Print Applicant or Authorized Agent Name



Signature of Applicant or Authorized Agent

Sworn and subscribed before me this 20 day of

August

2009

My commission expires:



Cheryl E. Knapp
NOTARY PUBLIC

FINAL PLAT REQUIREMENTS

Ainger Creek Properties, LLC
Preliminary Plat – Ainger Creek Development
8/16/07

NARRATIVE

INTRODUCTION:

The subject property is located in Section 5, Township 41 South, Range 20 East, in Charlotte County, Florida. The site area is approximately 30.92 acres and is currently vacant residential. The project will include the development of 26 Single Family detach home lots, 96 Single Family Town home lots, access road, and wet retention lake for stormwater management. On-site Sanitary Sewer and Water distribution system is proposed, and service will be provided by Englewood Water District. Existing 6" water main is located within the Lampp Drive right of way. Existing 6" Sanitary Sewer force main is located on Medical Boulevard as well as Pine Street.

A Special Exception, Petition #SE-07-02 for cluster housing was approved for the project by the Charlotte County Board of Zoning Appeals in January of 2007. Furthermore, Charlotte County Preliminary DRC was approved for the project on May 17, 2007.

EXISTING CONDITIONS:

The site is zoned Residential Single Family (RSF) 5 units per acre with a Future Land Use designation of Low Density Residential. Overall density for the project which could be calculated at 154.6 units is being reduced to a proposed 122 units. This proposed unit number is below the allowed number of 133 units calculating storm surge allowed density. The site is currently vacant land, consisting of approximately 30.92 acres. The project is bordered on the north by vacant land laying in Sarasota County, on the south and east by the Ainger Creek, on the west by Lampp Drive, a 50 foot right of way.

The predominant soil over the site is *Wabasso*, based on the information obtained from the Soil Conservation Service (SCS) Soil Survey for Charlotte County. Based on the survey information the seasonal high water elevation has been estimated at approximately 4.77 N.G.V.D. The Mean High Water elevation for the bordering Ainger Creek is -0.155 feet NAVD 1988. Considering the conversion factor of 1.11' used for the project to determine elevation in NGVD 1929, elevation is 0.96 NGVD 1929.

The property contains approximately 3.5 acres of wetlands. Wetland determination has been completed with SWFWMD. A UMAM and wetland assessments from DNA Environmental Logistics have also been accomplished. A portion of the property to the north drains onto the project site wetland on the north property line. Contributing hydrology this wetland is not proposed to be disrupted. Landscaping will be added in accordance with local requirements to mitigate any adverse affects produced by the development and enhance the aesthetic appeal to the area.

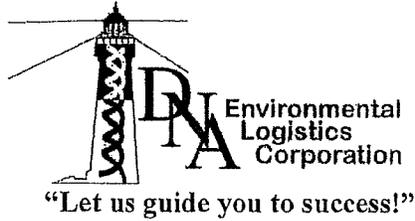
Ainger Creek Properties, LLC
Preliminary Plat – Ainger Creek Development
8/16/07

PROPOSED CONDITIONS:

The permitted project primarily includes construction of a private asphalt drive, appropriate driveways for single family lots, parking areas, an onsite distribution system for Sanitary Sewer and Water service, and a wet retention stormwater system to retain 1.0 inches of runoff attenuate peak and direct the runoff generated by the 25 year, 24 hour storm event to the control structure and then to the Ainger Creek. In addition the proposed lots will be filled, and graded per construction plans. The stormwater system will be permitted through both Charlotte County and SWFWMD.

Wetland Impacts are proposed. Total Impacts total 0.90 acres of the total 3.5 acres of existing wetland area. Mitigation options to offset adverse impacts to the wetland are being overviewed with DNA Environmental Logistics and Regulatory Agencies.

Floodplain Compensation is needed and provided for within the attached construction plans. Total volume required to offset is +/- 16,300 cubic feet. Storage compensation provided is +/- 20,900 cubic feet.



**Results of a protected species survey for a +-31 Acre Property located off of Lamm
Drive in Charlotte County, Florida - Section 5, Township 41, Range 20.**

Prepared for:

**Jacob R. Mootz
MMB Management Company
For: Ainger Creek Properties LLC
750 Tamiami Trail Suite 3
Port Charlotte, FL 33953**

Prepared by:

**DNA Environmental Logistics Corporation
4140 Waring Rd
Lakeland FL 33811**

**P. Brent Nichols, Ph.D.
Director of Scientific Research**

**Jason R. Adams, M.S.
Principal Scientist**

DNA Project Number: LRTE – CCFL – 06

**Durham, Nichols, & Adams
4140 Waring Road. • Lakeland, FL 33811 • (863) 619-5000 • Fax (813) 837-1423
www.dnaenvironmental.com**

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- Figure 1. 2005 Aerial Photograph.
- Figure 2. A representative photo of the proposed property at Ainger Creek Properties LLC.
- Figure 3. A representative photo of the proposed property at Ainger Creek Properties LLC.

APPENDIX

- Appendix A – Site Description and Photographs
- Appendix B – Charlotte County Listed Species

Results of a protected species survey for a 31 Acre off of Lampp Drive in Charlotte County, Florida -Section 5, Township 41, Range 20.

A visual transect survey was conducted at the referenced property on August 16-18, 2006 to determine if any protected species (either threatened or endangered) were found to be utilizing the subject property.

LEGAL DESCRIPTION:

The subject property is located on the east side of Lampp Drive in Charlotte County, Florida - Section 5, Township 41, Range 20. The legals for the parcels are:

0069816-000500-4

05 41 20 P-20 1.2A M/L COMM AT NE COR OF NW1/4 FOR POB TH S ALG 1/2 SEC LINE 1410FT TH W 90FT TH N 20FT TH E 50FT TH N 1390FT TO N SEC LINE TH E 40FT TO POB LESS TH N 60FT 965-336 E1041-1667 1055-1654 DC1716/02(CKH) 2838/1495

0069813-000000-2

05 41 20 P-10 18.82A M/L LOTS 24 & 25 UNDIV 1/2 INT EACH 288-411 600/1936 E1041/1667 1055/1656 2838/1493

0069813-000500-7

05 41 20 P-10-1 1.63A M/L GROVE CITY LAND CO THAT PART OF LT 23 NW OF CK P-10-1 288-411 1055 -1654 DC1716-02CKH 2838/1495

0069813-000300-9

05 41 20 P-10-2 9.5A M/L LOT 26 1055/1654 DC1716-02(CKH) 2838/1495

0069813-000340-1

05 41 20 P-10-3 1.28A M/L GROVE CITY LAND CO LOT 27 THAT PART OF ORIG LT 27 AS PER PB1/PG11 LYING NORTH OF AINGER CREEK AKA P10-31745/2061 1802/986 1802/1031 1804/1584 2810/1032

PROPERTY DESCRIPTION:

The subject site consists of approximately 31 acres located in Section 5, Township 41, Range 20 East off of Lampp Drive in Charlotte County, Florida. The site consists mainly of longleaf pine and saw palmetto with dense stands of Brazilian pepper mixed with some mangroves lining the Ainger Creek sides of the property. Figure 1 shows the approximate site boundaries and location of imperiled species transects.

METHODS:

The primary method utilized linear transects, per Florida Fish and Wildlife Conservation Commission guidelines, to provide at least 80 percent coverage of the site. Transects in the areas were spaced approximately 50 feet apart (Figure 1). Evidence of listed species was gathered through both direct observation and observation of signs emphasizing audible and visual surveys for birds, mammals, and herptiles. Track marks, droppings (scat), feathers, snake skins, rubs, scrapes, nests, burrows, if observed were identified and marked on an aerial photograph.

RESULTS OF SURVEY:

Potential threatened or endangered species for Charlotte County were reviewed from the Florida Natural Areas Inventory (FNAI) website prior to the site visit. Biota was broken down into six categories.

Fish

No protected species were encountered during time of survey. No wetlands on the interior portion of the property were capable of sustaining a fish community.

Birds

Little Blue Heron -- *Egretta caerulea*

The Little Blue Heron is listed as a species of special concern by the Florida Wildlife Conservation Commission. One individual was observed utilizing the wetland area along the northern boundary of the property. No nesting activity was observed.

Reptiles

No protected species were encountered during time of survey.

Amphibians

No protected species were encountered during time of survey.

Mammals

No protected species were encountered during time of survey.

Vascular Plants

No protected species were encountered during time of survey.

CONCLUSIONS:

The protected species assessment found limited evidence of imperiled species utilizing the proposed property. One migratory bird, the Little Blue Heron, was observed utilizing the wetland area along the north boundary of the property.

*31 Acre Property located off of Lamm Drive in Charlotte County, Florida
DNA Environmental Logistics Corporation*

*August 21, 2006
Project Number: BSTE – CCFL – 06*

APPENDIX A

SITE DESCRIPTION AND PHOTOGRAPHS

FIGURE 1. 2005 AERIAL PHOTOGRAPH WITH SPECIES SURVEY TRANSECTS

Ainger Creek Properties
Charlotte County

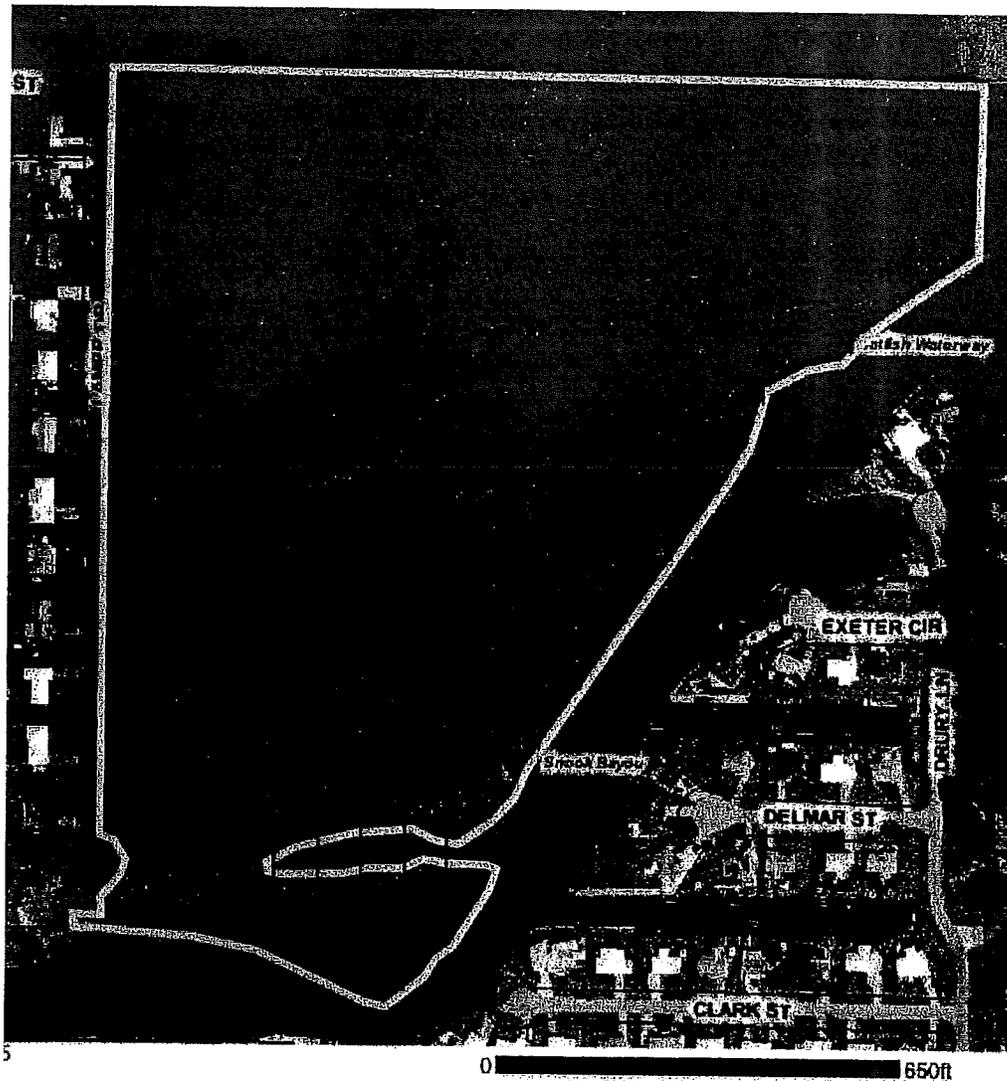
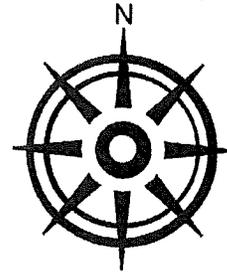


FIGURE 2. Representative Site Photograph of Ainger Creek Properties.

**Ainger Creek Properties
Charlotte County**

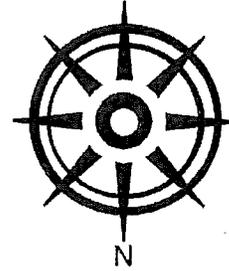
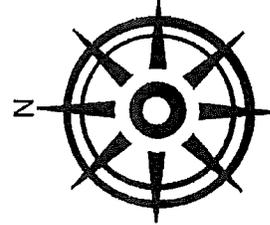


FIGURE 3. Representative Site Photograph of 18151 Murdock Circle.

**Ainger Creek Properties
Charlotte County**



APPENDIX B

**A LIST OF THREATENED AND ENDANGERED SPECIES OF
CHARLOTTE COUNTY, FLORIDA.**

A LIST OF THREATENED AND ENDANGERED SPECIES OF CHARLOTTE COUNTY, FLORIDA.

Key:

CLASSIFICATION

Scientific Name Common Name Global Rank State Rank Federal Status State Status Occurrence Status

List:

FISH

Acipenser oxyrinchus desotoi Gulf sturgeon G3T2 S2 LT LS C

AMPHIBIANS

Rana capito gopher frog G4 S3 N LS P

REPTILES

Alligator mississippiensis American alligator G5 S4 T(S/A) LS C
Caretta caretta loggerhead G3 S3 LT LT C
Chelonia mydas green turtle G3 S2 LE LE N
Crotalus adamanteus eastern diamondback rattlesnake G5 S3 N N C
Dermochelys coriacea leatherback G3 S2 LE LE N
Drymarchon corais couperi eastern indigo snake G4T3 S3 LT LT C
Gopherus polyphemus gopher tortoise G3 S3 N LS C
Lepidochelys kempii Kemp's ridley G1 S1 LE LE P
Pituophis melanoleucus mugitus Florida pine snake G5T3? S3 N LS C

BIRDS

Accipiter cooperii Cooper's hawk G4 S3? N N P
Aimophila aestivalis Bachman's sparrow G3 S3 N N P
Ajaia ajaja roseate spoonbill G5 S2S3 N LS C
Aphelocoma coerulescens Florida scrub-jay G3 S3 LT LT C
Aramus guarana limpkin G5 S3 N LS C
Ardea alba great egret G5 S4 N N C
Ardea herodias occidentalis great white heron G5T2 S2 N N P
Buteo brachyurus short-tailed hawk G4? S3 N N P
Caracara plancus crested caracara G5 S2 LT LT C
Charadrius alexandrinus snowy plover G4 S2 N LT C
Charadrius melodus piping plover G3 S2 LT LT C
Coccyzus minor mangrove cuckoo G5 S3 N N P
Dendroica discolor paludicola Florida prairie warbler G5T3 S3 N N P
Egretta caerulea little blue heron G5 S4 N LS C
Egretta thula snowy egret G5 S4 N LS C

Egretta tricolor tricolored heron G5 S4 N LS C
Elanoides forficatus swallow-tailed kite G4 S2S3 N N P
Eudocimus albus white ibis G5 S4 N LS C
Falco columbarius merlin G5 SU N N P
Falco peregrinus peregrine falcon G4 S2 LE LE P
Falco sparverius paulus southeastern American kestrel G5T3T4 S3? N LT C
Fregata magnificens magnificent frigatebird G5 S1 N N P
Grus canadensis pratensis Florida sandhill crane G5T2T3 S2S3 N LT C
Haematopus palliatus American oystercatcher G5 S3 N LS P
Haliaeetus leucocephalus bald eagle G4 S3 LT LT C
Ixobrychus exilis least bittern G5 S4 N N C
Laterallus jamaicensis black rail G4 S3? N N P
Mycteria americana wood stork G4 S2 LE LE C
Nyctanassa violacea yellow-crowned night-heron G5 S3? N N P
Nycticorax nycticorax black-crowned night-heron G5 S3? N N P
Pandion haliaetus osprey G5 S3S4 N LS** C
Pelecanus occidentalis brown pelican G4 S3 N LS C
Picoides borealis red-cockaded woodpecker G3 S2 LE LT C
Picoides villosus hairy woodpecker G5 S3? N N P
Plegadis falcinellus glossy ibis G5 S2 N N P
Rallus longirostris scottii Florida clapper rail G5T3? S3? N N P
Rynchops niger black skimmer G5 S3 N LS P
Speotyto cunicularia floridana Florida burrowing owl G4T3 S3 N LS C
Sterna antillarum least tern G4 S3 N LT P
Sterna caspia Caspian tern G5 S2? N N P
Sterna maxima royal tern G5 S3 N N P
Sterna sandvicensis sandwich tern G5 S2 N N P
Vireo altiloquus black-whiskered vireo G5 S3 N N P

MAMMALS

Eumops glaucinus floridanus Florida mastiff bat G5T1 S1 N LE C
Felis concolor coryi Florida panther G5T1 S1 LE LE C
Mustela frenata peninsulae Florida long-tailed weasel G5T3 S3? N N C
Mustela vison mink pop 1 southern mink, (s. Florida pop.) G5T2 S2 N LT** C
Neofiber alleni round-tailed muskrat G3 S3 N N P
Sciurus niger shermani Sherman's fox squirrel G5T2 S2 N LS C
Trichechus manatus manatee G2? S2? LE LE C
Ursus americanus floridanus Florida black bear G5T2 S2 C LT** C

VASCULAR PLANTS

Acrostichum aureum golden leather fern G5 S3 N LE C
Asclepias curtissii Curtiss' milkweed G3 S3 N LE R
Deeringothamnus pulchellus beautiful pawpaw G1 S1 LE LE C
Glandularia tampensis Tampa vervain G1 S1 N LE R
Gossypium hirsutum wild cotton G4G5 S3? N LE C
Harrisia aboriginum aboriginal prickly apple G2Q S2 N LE C

Helianthus debilis ssp vestitus hairy beach sunflower G5T2 S2 N N C
Linum carteri var *smallii* Carter's large-flowered flax G2T2 S2 N LE R
Nolina atopocarpa Florida beargrass G3 S3 N LT C
Nymphaea jamesoniana sleeping beauty waterlily G5 S2S3 N N C
Spiranthes torta southern ladies'-tresses G3G4 S1 N LE C
Stillingia sylvatica ssp *tenuis* queen's delight G4G5T2 S2 N N C
Tillandsia flexuosa banded wild-pine G4 S3 N LE C
Vernonia blodgettii Blodgett's ironweed G3 S3 N N C
Zephyranthes simpsonii rain lily G2G3 S2S3 N LT C

NATURAL COMMUNITIES

Basin Swamp G4? S3 N N C
Beach Dune G4? S2 N N C
Coastal Grassland G3 S2 N N C
Coastal Strand G3? S2 N N C
Dry Prairie G2 S2 N N C
Estuarine Tidal Marsh G4 S4 N N C
Estuarine Tidal Swamp G3 S3 N N C
Maritime Hammock G4 S2 N N C
Mesic Flatwoods G? S4 N N C
Scrubby Flatwoods G3 S3 N N C
Scrub G2 S2 N N C
Shell Mound G3 S2 N N C
Wet Flatwoods G? S4? N N C
Xeric Hammock G? S3 N N C

OTHER

Bird rookery N N C

County Occurrence Status

Vertebrates and Invertebrates:

C = (Confirmed) Occurrence status derived from a documented record in the FNAI data base.

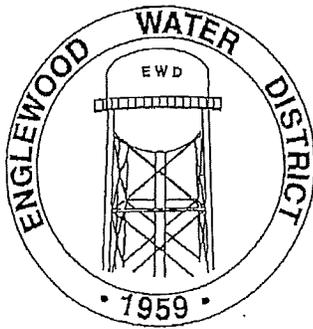
P = (Potential) Occurrence status derived from a reported occurrence for the county or the occurrence lies within the published range of the taxon.

N = (Nesting) For sea turtles only; occurrence status derived from documented nesting occurrences.

Plants, Natural Communities, and Other:

C = (Confirmed) Occurrence status derived from a documented record in the FNAI data base or from a herbarium specimen.

R = (Reported) Occurrence status derived from published



Board of Supervisors

Taylor Meals, Chair
Steven Samuels, Vice-Chair
Sydney B. Crampton
Phyllis Wright
Paul F. Manke

Richard L. Rollo, P.E.
Administrator

STATEMENT REGARDING
AVAILABILITY OF ENGLEWOOD WATER DISTRICT SERVICE

ISSUE DATE: 04/09/07

EXPIRATION DATE: 04/07/10

PROPERTY: Lampp Street Development

PROJECT ENGINEER: Ray Weiler, Weiler Engineering Corporation and
Jacob Mootz, MMB Management Company
SENT VIA E-MAIL: 04/09/07

PROPOSED TYPE UNIT: 122 Single Family Homes

PROPERTY DESCRIPTION: Lampp St. (County #0069813-000340-1;
0069816-001000-7; 0069816-000500-4; 0069813-000500-7; 0069813-000300-9;
& 0069813-000000-2)

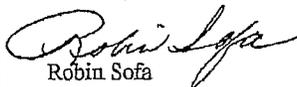
Please be advised that the Englewood Water District hereinafter called "District", a political subdivision and body corporate, created pursuant to a Special Act of the Florida Legislature has the authority and duty to serve property located within the District service area.

Based upon information supplied, the subject property lies within the District, and there is a 6" watermain within the right-of-way on Lampp Street to provide water service to the property. There is a 6" forcemain located within the right-of-way on Pine Street and a 6" forcemain located within the right-of-way on Medical Boulevard which can provide sewer service to the property. This statement does not constitute a contract for service. The District will provide both water service and sewer service when the Developer/Owner executes a Water and Wastewater Service Agreement, pays the applicable fees and complies with the rules and regulations of the District.

The District does not regulate design for fire protection. Our specifications mandate the installation of the mains and their appurtenances to supply water and sewer to the property. It is the Developer/Owner's responsibility to have a professional engineer design the system for the proposed project to meet the requirements of all appropriate regulatory agencies.

It is recommended that the necessary documents required by the District be prepared as soon as possible prior to the intended commencement date of the project to accommodate the service request. Enclosed is a copy of the Developer Submittal Package List for your information. All inquiries or requests for additional information concerning this matter should be directed to the undersigned by e-mail at rsofa@englewoodwater.com.

Sincerely,


Robin Sofa
Project Coordinator

/rs

ec: Jay Linden, Technical Support Manager
Susan Franklin, Customer Service Manager

Englewood Water District

201 Selma Avenue
Englewood, FL 34223

Phone: 941-474-3217
Toll Free: 1-866-460-1080
Fax: 941-460-1025
Email: info@englewoodwater.com
Website: englewoodwater.com



Charlotte County Government

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

www.CharlotteCountyFL.com

May 18, 2007

Ainger Creek Properties
4250 Central Avenue
St. Petersburg, Florida 33711

Ref: Ainger Creek Development
DRC-P-07-17pp

This letter is to confirm the decision of the Development Review Committee meeting held **May 17, 2007** DRC-P-07-17pp is requesting Preliminary Site Plan approval for Ainger Creek Development. This project consists of the construction of a platted one hundred and twenty two (122) lot clustered single family attached and single family detached residential subdivision. This 30.92+/- acre site is located on Lampp Drive on Parcels P10, P10-1, P10-2, P10-3, P20 & P20-1 in Section 5, Township 41 South, and Range 20 East in Englewood, Florida.

It is the decision of the Development Review Committee was to approve DRC-P-07-17pp Preliminary Site Plan with the following conditions.

1. Per The Comprehensive Plan; Policy 1.16.4 show how your development plan meets the maximum 3.5 units per acre density requirements of the Tropical and Category 1 storm surge areas. Per your density calculation table 14.15 acres are within this restriction. Show how no more than 49 units are developed on the 14.15 acres. Note: This has been addressed on the plans marked "File Copy" in the DRC file.
2. Show how no more than 5 units per acre are developed on the 16.77 acres shown within the Category 2 surge area. Note: This has been addressed on the plans marked "File Copy" in the DRC file.
3. The development standards table for the single family detached homes will follow all single family residential development standards that are applicable to an RSF-5 zoning district as specified in all Sections of the Charlotte County Zoning Codes except that the lot area, lot width and 5' (minimum) side setbacks can be approved as shown. Note: All single family detached lots are subject to the requirements of Section 3-9-93 titled Property Frontage.
4. The development standards table for the single family attached townhomes cannot be approved as shown. Revise your development standards to show side setbacks at 5'0' minimum; with front setbacks, rear setbacks and building heights to follow the standard RSF-5 codes. Note: As an alternative supply preliminary plat documents with this portion of the development plan approved as shown.

Zoning

18500 Murdock Circle, B-105 | Port Charlotte, FL 33948-1068
Phone: 941.743.1964 | Fax: 941.743.1598

5. As a result of the above revisions to the townhome sites please propose your desired lot coverage, lot area, lot width and street frontage needs. Note: As an alternative supply preliminary plat documents with this portion of the development plan approved as shown.
6. Per Section 3-9-90 parking spaces that are not associated with a driveway cannot have backing movements directly into a road right of way. Re-design or eliminate those parking spaces. Note: This has been addressed on the plans marked "File Copy" in the DRC file.
7. Per Section 3-9-90 address the location and design of the parking lot shown at the southern end of the project. Is the stacking between the parking lot entrance and the intersection of Lampp Drive and "Circle A" adequate? Is the throat depth of the driveway aisle into the parking lot adequate? Note: This has been addressed on the plans marked "File Copy" in the DRC file.
8. Show how your handicapped parking spaces comply with the requirements of Chapter 11 of the Florida Building Codes. Of particular concern are the sections of Chapter 11 that talk about accessible routes. Note: This has been addressed on the plans marked "File Copy" in the DRC file.
9. Address any concerns that result from the Land Development or Public Works review of your proposal to re-locate the 60' access easement shown for the benefit of Parcel P9.
10. Per the site plan it appears that several easements may be created on this project site. At the time of building permitting any applicant for a building permit related to this subdivision must supply documents sufficient to release any easements affected or encroached upon any structure, fence, building or building element such as roof overhangs, air conditioning pads, etc.
11. Provide a narrative and all documents needed to address each comment and each condition from this DRC review at the time of your next DRC application.
12. Submit your application for Final Site Plan review after receiving Preliminary Plat approval.
13. Provide a narrative and all documents needed to address each comment and each condition from the Preliminary Plat review at the time of your next DRC application.

Construction Services

The following conditions must be met prior to final site plan approval. Construction Services – Bill Searfoss

14. The applicant has failed to show how sewer service will be delivered to the site. Off-site improvements to this development must be included and approved under the DRC process. Separate approval through the application of a detail plan or right-of-way permit, although allowed in the past, is unacceptable as this process does not allow the opportunity for the involvement of all departments to properly review these improvements within the context of the project. The open cutting of County maintained roads, for the purpose of providing utility service will not be allowed. Alternate methods such as directional or jack and bore must be utilized. Construction Services – Bill Searfoss

15. The engineer shall add the following note, in **bold type**, to the drainage plan in the immediate location of the each proposed driveway. **"The driveway culvert size, sump and material are subject to change as a function of design requirements, future drainage projects or field conditions, as determined by Charlotte County Right-of-Way Department at the time of line and grade inspections."** Construction Services – Bill Searfoss
16. The applicant has failed to provide any typical pavement details, either interior or within, the County's right-of-way. The portion of the proposed driveway within the County right-of-way will be constructed in accordance with current County standards for driveway construction. Construction Services – Bill Searfoss
17. The applicant has also failed to show sufficient drainage data along Lamp Street, parallel to the roadway, in front of their proposed development. Please provide existing ground shots showing how the drainage presently functions, both upstream and downstream, from the development. Construction Services – Bill Searfoss
18. All areas within the County right-of-way, disturbed through the course of construction, will be re-graded and sodded. Construction Services – Bill Searfoss
19. Future comments may be forthcoming with the submission of more detailed plans. Construction Services – Bill Searfoss

Real Estate Services

20. No comments or concerns at this time. Real Estate Services – Debbie Alexander

(Note for the record: 60' wide ingress-egress easement is between Donald and Christine Harris and Robert C. Sifrit, Trustee, of The Rookery Land Trust.)

Stormwater Management

The following conditions must be approved prior to final approval:

21. The engineer shall indicate whether any offsite drainage flow patterns/hydraulic features will be interrupted by the proposed development and include future onsite phases of development, if any. Stormwater Management – John DeGiovine
 - SWFWMD Basis of Review Manual Chapter 4.8.
22. Provide enough "Typicals Sections" and notes to verify the size/dimensions of the Stormwater Management Facility. Stormwater Management – John DeGiovine
 - Charlotte County Code, Section 3-5-118 (1)(L).
23. Include the 25 year – 24 hour design high water elevation on the plans/appropriate section view. Stormwater Management – John DeGiovine
 - Charlotte County Code, Section 3-5-118 (1)(d) & (1)(m).

If attenuation is not required, please provide the elevation necessary to convey the post peak rate of runoff (25 year – 24 hour) through the Outfall Structure. This elevation shall be contained within the banks of the proposed Stormwater Management Facility. Stormwater Management – John DeGiovine

24. Provide the Detail sheet containing the proposed Outfall Control Structure. Stormwater Management – John DeGiovine

May 18, 2007
DRC-P-07-17pp

This site plan approval shall be valid for 12 months. If you wish to request a one time, 12 month extension you must do so in written form 30 days prior to the expiration date. The current fee for such an extension is \$245.00.

Sincerely,



Buddy Braselton
Planner II

BB/dac

Cc: Jacob Mootz, Project manger



Community Development Department

Planning and Zoning Division
Charlotte County Administration Center
18500 Murdock Circle

Port Charlotte, Florida 33948-1094

Planning Division: (941) 743-1238 • (941) 623-1094 • FAX: (941) 743-1292

Zoning Division: (941) 743-1964 • (941) 743-1966 • FAX: (941) 743-1598

www.charlottecountyfl.com

"To exceed expectations in the delivery of public services"

January 11, 2007

Ainger Creek Properties, LLC
750 Tamiami Trail, #3
Port Charlotte, FL 33953

RE: Petition #SE-07-02

Dear Petitioner:

This letter is to confirm the decision of the Charlotte County Board of Zoning Appeals meeting held on Wednesday, January 10, 2007 regarding Petition #SE-07-02 requesting a special exception to allow a Cluster Housing development in a Residential Single Family-5 (RSF-5) zoning district. The property is described as Parcels 10, 10-1, 10-2, 10-3, 20 and 20-1 in Section 5, Township 41 South, Range 20 East. The property contains +/- 30.92 acres

It was the decision of the Board of Zoning Appeals to **Approve #SE-07-02** based on the Community Development Department staff report dated January 2, 2007, the evidence presented at the hearing and finding that the applicant has met the required criteria for the granting of the special exception, with the following condition(s):

- 1 The project shall be in general conformance with all the submitted materials contained with the file. Any modification, alteration or revision to such materials may require a modification to the special exception.
- 2 Approval of this special exception is limited to the cluster housing use only. Additional Development Review Committee (DRC) and other technical requirements shall apply to the property and shall supercede the contents of this application
- 3 These conditions shall carry with the land

Any non-conforming special exception shall be subject to the requirements of Section 3-9-10 of the Zoning Regulations with regard to non-conforming uses.

As this proposal moves forward, the Environmental Review Section has requested the following issues be addressed. These conditions will be reviewed for compliance upon any land clearing, development or permit approvals.

1. The project must comply with **Chapter 3-5, Article XV, Surface Water and Wetland Protection** requirements of the County Code. The applicant must submit a Southwest Florida Water Management District (SWFWMD) Environmental Resource Permit (ERP) and US Army Corps of Engineer review and permits prior to final DRC and the issuance of county permit and land clearing activities. Development site and landscape plans must illustrate all approved preservation and required buffers.
2. The project site contains habitat that is utilized by species listed by the United States Fish and Wildlife Service (FWS) or Florida Fish and Wildlife Conservation Commission (FWCC) as endangered, threatened, or a species of special concern. The applicant must submit current Florida Land Use, Cover and Forms Classification System (FLUCCS) Map and applicable listed species survey. All appropriate comments, authorization/permits, and mitigation from FWCC

and FWS will be required prior to final DRC and the issuance of county permit and land clearing activities.

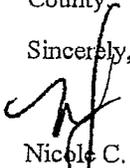
- 3 If the project requires DRC the applicant will need to comply with **Chapter 3-5, Article XVI, Open Space/Habitat Reservation Trust** requirements of the County Code. The applicant is advised that suitable habitat for the use by listed species occurs on site and must be preserved for open habitat.
- 4 Any site clearing, including underbrush, for proposed building site must comply satisfy **Chapter 3-2, Article IX, Tree Requirements**, of the County Code. If heritage trees are found to occur on site, the provisions of **Chapter 3-2, Article IX, Section 190** of the County Code must be followed. A Tree Removal Authorization, Memorandum of Fee Exemption, and Tree Preservation permits or No Tree Affidavit must be obtained prior to final DRC and any land clearing activity or the issuance of building permits.
5. **The applicant must provide four (4) copies of a landscape plan that complies with Chapter 3-5, Article XVIII, Landscape Requirements, of the County Code prior to any development approval. All Brazilian pepper, melaleuca, and Australian pines must be removed from the entire site in accordance with Section 3-5-403 of the landscape requirements.**

The applicant is advised that the Charlotte County Environmental Review Section site review is cursory; additional wildlife or environmental reviews may be required by state and federal agencies.

If there are any questions pertaining to this application please contact Susie Derheimer at (941)743-1239 for any environmental issues and Linda Moore at (941)743-1919 with any landscaping or tree issues

A copy of this approval by the Board of Zoning Appeals shall be filed in the Public Records of Charlotte County.

Sincerely,



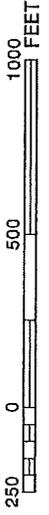
Nicole C. E. Dozier
Zoning Official

/bdw

cc: Robert H Berntsson, Esquire
18501 Murdock Circle, Suite 101
Port Charlotte, FL 33948



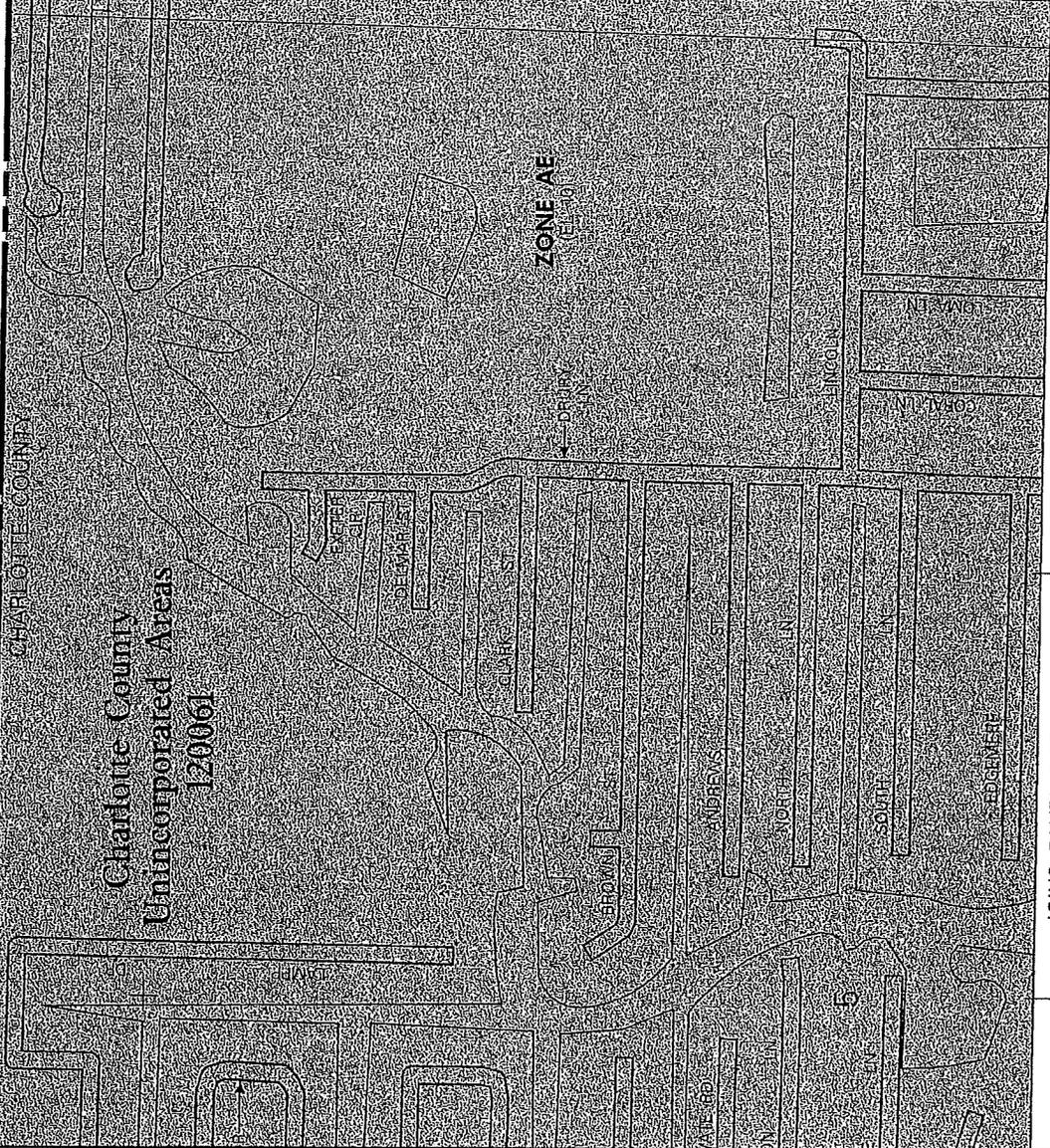
MAP SCALE 1" = 500'



SARASOTA COUNTY

CHARLOTTE COUNTY

Charlotte County
Unincorporated Areas
120061



PANEL 0179 F

FIRM
FLOOD INSURANCE RATE MAP
CHARLOTTE COUNTY,
FLORIDA
AND INCORPORATED AREAS

PANEL 179 OF 525

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY CHARLOTTE COUNTY
NUMBER 120061
PANEL 0179
SUFFIX F

Notes to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER
12015G0179F
EFFECTIVE DATE
MAY 5, 2003

Federal Emergency Management Agency

368000 M JOINS PANEL 0187

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.nsc.fema.gov

Survey

25. This Preliminary Site Plan, as submitted, has several sanitary sewer manhole conflicts with the installation of permanent control point monuments, which are required by **Section 3-7-82. Monuments**. This problem could be solved by following applicable county codes. Survey – Ed McDonald

The following comments are submitted for consideration:

In order to receive (preliminary/final) approval for this submittal, the conditions as specified by Survey must be address and satisfied prior to the scheduled meeting of the Development Review committee (DRC). If you require any clarification or wish to discuss any of the conditions, please contact the person/department setting the condition prior to the scheduled DRC meeting.

26. Need another hydrant at the entrance on the side of the number 1 building.
27. Turnarounds shall have a 50 foot center line radius.
28. All trees that are removed or preserved must satisfy **Chapter 3-2, Article IX, Tree Requirements**, of the County Code. Heritage trees appear on site; these trees are further protected by **Section 3-2-190** of the Tree code. The applicant must show that every effort has been made to incorporate these trees into the proposed development. Tree Removal Authorization, Memorandum of Fee Exemption, and Tree Preservation permits must be obtained prior to any land clearing activity or issuance of any building permits.
29. The landscape plan must provide the tree point requirements, calculations and provisions.
30. Provide street names on the landscape plan prior to Final DRC approval.
31. The "Park Area" as shown on the site plans must be designated on the landscape plan.
32. Identify the type, height, etc. of fence / wall proposed around the perimeter of the site.
33. Identify any open space / habitat preservation area which will be "preserved in perpetuity" on the landscape plan prior to Final DRC approval.
34. The applicant must provide five (5) copies of a landscape plan that complies with **Chapter 3-5, Article XVIII, Landscaping and Buffer Requirements**, of the County Code prior to Final DRC approval. (Comments specific to the landscape plans have been sent via facsimile to Harry Taylor for consideration.)
35. Provide the necessary wheelstops and curbing wherever pavement abuts landscaping.
36. Provide a block on the landscape plan which mimics Section 3-5-398 (Irrigation Design Standards.)
37. Identify overhead power lines (existing or proposed) either on or adjacent to the development site.
38. Ensure that any trees installed under and adjacent to overhead power lines meet FP&L guidelines and are in compliance with **Tree Requirements, Section 3-2-188(a)(2)(b) Figure 8**, Charlotte County Code.

39. The plans provided to the BZA for the Special Exception hearing and the current site plans indicate a "proposed 25' landscape buffer" along the north and west property lines, the landscape plans do not. Please provide the specs. for the proposed 25' landscape buffer on the landscape plan prior to Final DRC approval.
40. All Brazilian pepper, melaleuca, Australian pine and downy rose myrtle must be removed from the site during development, according to **Section 3-5-397** of the landscaping code.
41. The applicant has submitted a listed species survey dated August 21, 2006 documenting the observance of one Little Blue Heron. No additional listed species were observed utilizing the site. The applicant must submit a Florida Land Use, Cover and Forms Classification System (**FLUCCS**) Map. No Florida Fish and Wildlife Service (FWS) and Florida Fish and Wildlife Conservation Commission (FWCC) permits are required for final DRC approval, but if evidence of listed species utilization is documented in the future possible FWCC/FWS permit may need to be provided to staff prior to and the issuance of county permits and land clearing activities.
42. The project must comply with **Chapter 3-5, Article XV, Surface Water and Wetland Protection** requirements of the County Code. The applicant must submit an approved Southwest Florida Water Management District (SWFWMD) Environmental Resource Permit (ERP) and US Army Corps of Engineer review and permits prior to final DRC and the issuance of county permit and land clearing activities. Development site and landscape plans must illustrate all approved preservation and required buffers.
43. The project shall comply with **Chapter 3-5, Article XV, Upland Buffer Zone** requirements of the County Code. A naturally vegetated upland buffer zone shall be preserved along the perimeter of all wetlands and natural surface water. The buffer shall be a minimum of fifteen (15) feet - average (25) feet in width as measured from the landward limit of the wetland or surface water. An additional buffer may be required by other regulatory agencies. If development is proposed within the upland buffer, SWFWMD and possible USACOE authorizations will need to be provided. The buffer must be illustrated on all final site and landscape plans prior to final DRC approval and the issuance of county permits and land clearing activities. Silt fencing must be installed and maintained during all development activities.
44. The project must comply with **Chapter 3-5, Article IV, Clearing, Filling and Soil Conservation** requirements of the County Code. Best Use Management Plans must be documented on final plans and utilized during all land clearing and development activities.
45. The project must comply with **Chapter 3-5, Article XVI, Open Space/Habitat Reservation Trust** requirements of the County Code. Staff identifies there is proposed preservation areas. If there is enough preservation proposed to meet the open space/habitat requirements the applicant may preserve 5% of the property in its natural state, in perpetuity, or in the absence of preservation of valuable habitat for use by threatened and endangered species, contribute an equal amount of \$300 per acre or fraction thereof, to the Open Space/Habitat Reservation Fund for a total of \$9300.00 based on a project size of ±30.92 acres. If the applicant chooses to preserve for Open Space/Habitat then the site and landscape plan must label the area as preserved, in perpetuity and calculations must be show to meet 5% requirement.

CHARLOTTE COUNTY PLANNING AND ZONING BOARD

10/15/2007 10:09 AM

Draft Minutes of Regular Meeting Continued

October 8, 2007 @ 1:30 P.M.

These minutes are not official until they have been approved by the Charlotte County Planning and Zoning Board.

PP 07-08-14

Quasi-Judicial

Commission District III

Ainger Creek Properties, LLC has applied for a Preliminary Plat for a subdivision consisting of 122 residential lots (for cluster housing) in Section 5, Township 41, Range 20. The site, consisting of 31.12 acres, more or less, is located North and West of the Catfish Waterway, east of Lampp Drive and south of the Sarasota County line, in Commission District III. A complete legal description is on file.

Staff Presentation

Tom Scott, Acting Development Review Manager, presented the findings and analysis with a recommendation of *Approval* based on the reasons stated in the staff report dated September 18, 2007. Staff recommends approval with five (5) conditions:

- Applicant must obtain approval for all street names prior to submitting for final plat;
- Applicant must satisfy all the requirements of the County Surveyor as listed above;
- Applicant must meet all requirements of Environmental Division as per the memo dated September 6, 2007;
- Access easement to adjoining privately owned lot (P-9) in the northeast corner of the plat must be titled "access easement" and must appear in dedication on Final Plat. It shall also be listed as a Tract with a designated identification letter and proper measurements and total land area; and
- Tract E clearly indicates that it adjoins Sarasota County in the northwest corner of the plat. Applicant will not be allowed to access Sarasota County from this site, without first receiving approval from Sarasota County and Charlotte County.

Questions for Staff

None.

Applicant's Presentation

Robert N. Berntsson, Esq., applicant's agent, noted he had represented the applicant also through the Board of Zoning Appeals process resulting in the approval of the cluster development, and DRC subsequently also recommended approval. With regard to the stated conditions, applicant has already satisfied all the criteria from the County Surveyor, and applicant joins in with all five conditions. At this point, there is no intention to have access to Sarasota County, but should that be determined to be in everyone's best interests at some point in the future, the current condition is appropriate.

Public Input

Ms. Carol Kiel, a resident of Lampp Drive, spoke about the impacts of the project on the neighborhood, particularly with regard to traffic. She noted that the only egress from the neighborhood is through the north end of Lampp, which becomes 8th and then Manor and the 7th which intersects with Pine Street. She noted that weather conditions have occasionally made Lampp Dr. impassable. **Chair Hess** asked applicant's agent to comment; **Mr. Berntsson** started by noting that the zoning on the subject parcel was RSF-5 which worked out to over 150 units that could be developed, in contrast to which applicant's plan calls for only 122 units. He also noted that the project had been before DRC which does examine traffic counts and access, and the project had been approved in that venue. Further discussion ensued on what the residents see as limited access into the neighborhood, as distinct from how many access points there may be for the actual project area. **Ms. Kiel** noted that Lampp Drive was very narrow; **Mr. Scott** responded that Lampp Drive would be upgraded to meet county standards if it is in fact a substandard road at this time. Further discussion continued on the subject of internal roads and the connection to Lampp Drive.

CHARLOTTE COUNTY PLANNING AND ZONING BOARD

10/15/2007 10:09 AM

Draft Minutes of Regular Meeting Continued

October 8, 2007 @ 1:30 P.M.

These minutes are not official until they have been approved by the Charlotte County Planning and Zoning Board.

Mr. Marshall asked about the proposed buffering to be provided between Lampp Drive and the parallel road that the developer will be building within the development. **Mr. Bertsson** stated that it would have appropriate landscaping; **Mr. Scott** pointed out that this was not a Planned Development, so there would not be the buffering typically associated with such a project, and also that both the new project and the existing neighborhood were residential, so there was less need for such buffering. **Mr. Marshall** asked if Lampp might be improved; **Mr. Scott** said that would be determined at the DRC process and if it is an issue, then it might be improved. **Chair Hess** noted to Ms. Keil that she and others from the neighborhood are entitled to attend the DRC meetings; **Ms. Kiel** stated that she had been attending the meetings; she continued to express concern about the total number of units being proposed for the site although **Chair Hess** assured her that the proposed plat showed only 122 units. **Mr. Bertsson** clarified that there will be a 25' wide grass strip between the two roadways, and that it would be several months before the project went back to DRC.

Ms. Laura Kildahl, a resident of Lampp Dr., asked how wide the single-family lots would be. **Mr. Bertsson** responded that as the entire project was a cluster, the width of single-family lots along the creek ranged from between 40 to 55 feet. **Mr. Scott** explained that one purpose of cluster developments was to end up with a greater amount of green space by bringing the dwelling units closer together; he clarified that these units were not "common wall" units. **Mr. Bertsson** further clarified that the townhome style units did utilize the common wall structure.

Ms. Jeanne Garbacz, a resident of the neighborhood, spoke about the problems anticipated with the increased traffic from this development, noting that there is no traffic light at Pine St. where all these cars will be exiting. **Mr. Scott** agreed with the speaker that there would be a traffic impact; he pointed out that the property owner does have the right to develop this property and could have put more units on it than the present plan calls for. **Chair Hess** also discussed these points with the speaker. **Ms. Garbacz** expressed her feeling that the developer should provide sidewalks and other road improvements for the neighboring properties, as well as within the project area, to make up for the increased traffic and its negative impact. **Ms. Bossman** asked staff if sidewalks were included in the plan; **Mr. Scott** responded with the reminder that the project is not a Planned Development and as such, the developer is not required to do more than develop their own property. He noted that the impact of increased traffic on the surrounding neighborhood is no different here than in any other part of the county, where more people move in and traffic increases. Public Works does review those changing conditions and makes recommendations on how to address it. It would be unusual to have this developer build sidewalks outside the boundaries of their project. **Mr. Bertsson** noted that the project had been reviewed by Public Works with regard to the potential traffic increases and had made their preliminary comments which the developer will need to comply with; if the Traffic Engineer had felt that the project would create unsafe conditions, they would not have recommended approval.

Carol Kiel returned to the podium to discuss the fact that Tract A of the project was marshland; she questioned what the effects would be if the applicant intended to put a road in that area.

Ms. Sue Reske, of the Greater Charlotte Harbor Group of the Sierra Club, asked if there had been any consideration on the developer's part of leaving the open space treed and wooded, which would help the neighborhood residents with their view, and also would help the County with water issues. **Mr. Bertsson** noted that trees already in the Lampp Dr. right-of-way will remain, and the natural species will be left in the 25-foot strip between Lampp and the new project internal road. The primary large internal space in the development will be for stormwater retention, and the secondary will be a preserved wetland area; the stormwater retention area will be cleared.

CHARLOTTE COUNTY PLANNING AND ZONING BOARD

10/15/2007 10:09 AM

Draft Minutes of Regular Meeting Continued

October 8, 2007 @ 1:30 P.M.

These minutes are not official until they have been approved by the Charlotte County Planning and Zoning Board.

Ms. Dawn Botello, after being duly sworn, noted that she lives on Clark Street in the neighborhood. She expressed concern that there would be development on the creek which has Gulf access and no one has talked about a dock, or the possibility of a marina. **Mr. Bertsson** noted that the project does not include any docks; whether or not any individual owners later decided to apply for a dock permit would be their decision and their right. **Ms. Botello** asked if only the units on the water could have a dock, or could all 122 units have docks; **Mr. Scott** noted docks would only be available for the waterfront homes; there is not common land available for other docks. **Ms. Bossman** asked about Tract A, and **Ms. Botello** asked if a marina could be proposed for Tract A in the future; **Mr. Scott** responded that while a marina could be proposed for that property, it would probably not be approved and certainly is not zoned for a marina. Further discussion ensued on possible impacts to the waterway.

- **Ms. Seay** moved to close the public hearing, second by **Mr. Gravesen** with a unanimous vote.

Discussion

None.

Recommendation

Ms. Bossman moved that application PP-07-08-14 be forwarded to the Board of County Commissioners with a recommendation of Approval with five conditions as hereinabove made part of the record, based on the findings and analysis in the staff report dated September 18, 2007, along with the evidence presented at today's meeting, second by **Ms. Say** with a unanimous vote.

A brief recess was called. When the meeting resumed, **Chair Hess** stated that due to recent travel, she had only a brief chance to review the correspondence arising out of the TDU workshops which staff had originally circulated to Board members by email on October 4th.

TO: PLANNING AND ZONING BOARD

FROM: TOM SCOTT *T.S.*
ACTING DEVELOPMENT REVIEW MANAGER
COMMUNITY DEVELOPMENT DEPARTMENT

RE: PP-07-08-14
PRELIMINARY PLAT
AINGER CREEK DEVELOPMENT

SUMMARY DATE: September 18, 2007

Ainger Creek Properties, LLC has applied for a Preliminary Plat for a subdivision consisting of 122 residential lots (for cluster housing) in Section 5, Township 41, Range 20. The site, consisting of 31.12 acres, more or less, is located North and West of the Catfish Waterway, east of Lampp Drive and south of the Sarasota County line, in Commission District III.

Staff has reviewed the petition. The proposed development is for 26 single family lots and 96 single family town homes for a total of 122 lots, on 31.12 acres. The applicant received Special Exception for Cluster Housing (Petition #SE-07-02) on January 10, 2007. The site is zoned Residential Single Family (RSF-5) five units per acre, with a Future Land Use of Low Density Residential. The Addressing Department has reviewed the petition and advises that no street names were indicated on the Preliminary Plat, and the applicant must obtain approval of all street names prior to submitting for Final Plat. Public Works has reviewed the application and the County Surveyor stated that State Plane Coordinates are required in at least two places in the legal description, that a note is required in the Certificate of Surveyor if PCP's and property corners are bonded, that the plat BM's need to be on concrete monuments, and that the mean high water line needs to be labeled as approximate. The Environmental Division has reviewed the petition and has recommended approval with the following conditions: Applicant must submit a FLUCCS map; project must comply with Surface Water and Wetland Protection requirements; must comply with Upland Buffer Zone requirements; must comply with Clearing, Fill and Soil Conservation requirements; must comply with Open Space/Habitat Reservation Trust requirements; must satisfy Charlotte County Tree requirements; and must comply with Landscaping and Buffer Requirements. The project will be serviced by central sewer and water from Englewood Water District. Roads will be private, but will be built to County standards. The proposed development is consistent with the Comprehensive Plan and Zoning District. An access easement in the northeast corner of the plat for an adjoining property owner must be clearly indicated on the Final Plat. Applicant will not be allowed to access Sarasota County from Tract E or any portion of this plat.

Staff recommends approval with five (5) conditions:

1. Applicant must obtain approval for all street names prior to submitting for final plat;
2. Applicant must satisfy all the requirements of the County Surveyor as listed above;

3. Applicant must meet all requirements of Environmental Division as per the memo dated September 6, 2007;
4. Access easement to adjoining privately owned lot (P-9) in the northeast corner of the plat must be titled "access easement" and must appear in dedication on Final Plat. It shall also be listed as a Tract with a designated identification letter and proper measurements and total land area; and
5. Tract E clearly indicates that it adjoins Sarasota County in the northwest corner of the plat. Applicant will not be allowed to access Sarasota County from this site.

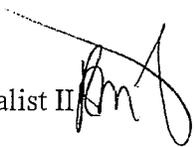


Charlie Crist
Governor

Ana M. Viamonte Ros, M.D., M.P.H.
Secretary of Health

MEMORANDUM

TO: Gayle Moore, Secretary

FROM: Robert M. Feldman, Environmental Specialist II 

DATE: August 30, 2007

SUBJECT: Preliminary Plat: October 8, 2007

PP-07-08-13

Coral Creek Burnt Store, LLC

The proposed project must be developed using central sewer and water provided by Charlotte County Utilities. According to the Utility, the water and sewer lines must be extended to the site by the applicant.

PP-07-08-14

Ainger Creek Properties, LLC

The proposed development will be constructed using central sewer and water provided by the Englewood Water District. We expect no involvement with this project.

RMF:vcs

K/S/S/P&Z/Sept.doc.

Charlotte County
Community Development Department
18500 Murdock Circle
Port Charlotte, FL 33948-1094
Telephone (941) 743-1290
Fax (941) 743-1598

TO: Tom Scott, Land Development Review Division Mgr.

FROM: Jamie Scudera, Environmental Specialist

DATE: September 6, 2007

**SUBJECT: PP-07-08-14 Preliminary Plat Petition
Ainger Creek Properties, LLC**

The Current Planning and Zoning (Environmental Review) Section has reviewed the above referenced petition for **Environmental and Landscape and Tree compliance** and offers the following comments:

1. A GIS aerial and on-site review was conducted. The site is undeveloped and contains upland and wetland environmentally sensitive habitats for use by species listed by the Florida Fish and Wildlife Conservation Commission (FWC) and US Fish and Wildlife Service (FWS).

The Current Planning and Zoning (Environmental Review) Section recommend **approval** of application **PP-07-08-14 Preliminary Plat** with the following conditions.

1. The applicant has submitted a listed species assessment dated August 21, 2006 documenting the observance of one Little Blue Heron. No additional listed species were observed utilizing the site. The applicant must submit a Florida Land Use, Cover and Forms Classification System (**FLUCCS**) Map and if necessary, updated listed species assessments. No Florida Fish and Wildlife Service (FWS) and Florida Fish and Wildlife Conservation Commission (FWCC) permits are required for final DRC approval, but if evidence of listed species utilization is documented in the future possible FWCC/FWS permit may need to be provided to staff prior to and the issuance of county permits and land clearing activities.
2. The project must comply with **Chapter 3-5, Article XV, Surface Water and Wetland Protection** requirements of the County Code. The applicant must submit an approved Southwest Florida Water Management District (SWFWMD) Environmental Resource Permit (ERP) and US Army Corps of Engineers (ACOE) permit/authorization prior to final DRC approval and the issuance of county permits, land clearing activities and/or final plat approval. Development

site/landscape plans and final plat must illustrate all state/federal jurisdictional lines, wetland impacts, preservation and required buffers.

3. The project shall comply with **Chapter 3-5, Article XV, Upland Buffer Zone** requirements of the County Code. A naturally vegetated upland buffer zone shall be preserved along the perimeter of all wetlands and natural surface water. The buffer shall be a minimum of fifteen (15) feet - average (25) feet in width as measured from the landward limit of the wetland or surface water. An additional buffer may be required by other regulatory agencies. If development is proposed within the upland buffer, SWFWMD and possible USACOE authorizations will need to be provided. The 15' minimum, 25' avg. naturally vegetated buffer must be documented on final site/landscape plans and final plat.
4. The project must comply with **Chapter 3-5, Article IV, Clearing, Filling and Soil Conservation** requirements of the County Code. Best Use Management Plans must be documented on final site plans and utilized during all land clearing and development activities.
5. The applicant must comply with **Chapter 3-5, Article XVI, Open Space/Habitat Reservation Trust** requirements of the County Code. Final site/landscape plans and final plat must document preserved area and clearly mark as "conservation area" or "preserved in perpetuity". Or open habitat must be paid prior to the issuance of any county permits and land clearing activities.
6. All trees that are removed or preserved must satisfy **Chapter 3-2, Article IX, Tree Requirements**, of the County Code. A tree survey must be supplied prior to any land clearing or issuance of building permits. Heritage trees may occur on site. Heritage trees are further protected by the provisions of **Chapter 3-2, Article IX, Section 190** of the County Code. The applicant must incorporate the trees into the site plan or show that every effort has been made to save the trees. Documentation must be provided prior to final DRC approval or the issuance of tree removal permits. A Tree Removal Authorization, Memorandum of Fee Exemption, and Tree Preservation permits must be obtained prior to any land clearing activity or final DRC approval.
7. Four (4) copies of a landscape plan that complies with **Chapter 3-5, Article XVIII, Landscaping and Buffer Requirements**, of the County Code must be provided for all development that requires parking. Four (4) copies of an approved landscape plan must be provided prior to final DRC approval. All Brazilian pepper, Melaleuca, Australian pines and downy rose myrtle must be removed from the site during development, according to 3-5-397 of the landscaping code.

The applicant is advised that the Charlotte County site review is cursory, additional wildlife or environmental reviews may be required by state and federal agencies.

Thank you for giving the Environmental Review Section an opportunity to review this Preliminary Plat application. If there are any questions please contact me at (941) 743-1290.

JS

P: animal/PLATS-2007/ PP-07-08-14(AingerCreekDevelopment).doc

MEMORANDUM

Date: September 12, 2007
TO: Tom Scott,
Acting Development Review Manager
FROM: Steven Ellis, Planner II
Comprehensive Planning Section
SUBJECT: PP-07-08-14

Mr. Scott,

I have reviewed the requested Preliminary Plat for lots 24, 25, and 26 Grove City Company's Subdivision in Section 5, Township 41 South, and Range 20 East, in the West County area, and have the following observations and comments:

1. The applicant is requesting a Preliminary Plat for the lots 24, 25, and 26 located in Section 5, Township 41 South, and Range 20 East, in the West County area. The site contains a total of 31.12± acres.
2. The parcel lies within the Infill Area of the Urban Service Area.
3. The entirety of the Preliminary Plat is located within the Tropical, Category 1 and Category 2 Storm Surge Zones.
4. The Zoning District of the subject parcel is Residential Single-family 5 (RSF5).
5. The underlying Future Land Use Map designation is Low Density Residential.

The proposed development is consistent with the Comprehensive Plan and zoning district. No residential development is involved in this Preliminary Plat.

Comprehensive Planning has no objection to this Preliminary Plat. Thank you for the opportunity to review the application.

SE/se

INTEROFFICE MEMORANDUM
Development Review Division

To: Mary Webster

From: Gerry M. Collins
Land Information Technician

Date: August 24, 2007

RE: Addressing Comments

PP-07-08-14 – Ainger Creek Properties, LLC – Ainger Creek Development

In review of the engineering drawings there are no street names indicated. The Addressing Department requires that the streets must be named prior to final plat approval. Prior to submitting a list of street names in writing to the Addressing Department to be checked for availability, verification and approval there are guidelines for naming streets and the **guidelines must be followed**. A copy of the Guidelines for New Street Naming can be obtained from the Addressing Department and the request can be done by fax or email and the fax number is 941-743-1570 or by sending an email to gerry.collins@charlottefl.com.



MEMORANDUM

Date: September 7, 2007
To: Mary Webster, Permitting & Licensing Coordinator
From: Ken Quillen, Planner III *KQ*
Subject: Preliminary Plat Review, File Number: PP-07-08-14

The Current Planning and Zoning Division have the following comments regarding the proposed preliminary subdivision plat called **Ainger Creek Properties, LLC**.

Project Summary: This preliminary subdivision plat of 25.46 acres of land proposes 26 single-family residential lots, lots numbered 1 through 26 (located adjacent to Ainger Creek) and 96 townhouse lots numbered 27 through 122. There are also five tracts labeled Tract "A", "B", "C", "D" and "E". Tracts "A" and "B" are common open space tracts. Tract "E" is a 50-foot right-of-way for proposed private streets, which needs to be assigned street names. Tracts "C" and "D" are common open space tracts that are located adjacent to the 96 cluster townhouse lots, with tract "D" also containing an existing wetland that must be preserved and protected.

Future Land Use Designation (FLUM): The property has a FLUM classification of Low Density Residential, which is intended to allow residential uses. The proposed detached single-family and townhouse uses are consistent with this classification.

Current Zoning Classification: The property has an existing zoning classification of Residential Single-family-5 (RSF-5), which allows single-family residential uses up to five dwelling units per acre.

Special Exception: The developer of this property obtained approval of a Special Exception (File number; SE-07-02) on January 10, 2007, to allow a "cluster housing" development based on a site plan submitted with that application. This proposed preliminary plat is in conformance with the approved site plan for this cluster housing development.

The Current Planning and Zoning Division recommends approval of this preliminary plat.

cc: Nicole Dozier

COMMUNITY DEVELOPMENT
Zoning

18500 Murdock Circle, B-105 | Port Charlotte, FL 33948-1068
Phone: 941.743.1964 | Fax: 941.743.1598



Development Review Committee

Standardized Review and Recommendation Sheet

Department: Public Works From: Gary Grossman, Assistant Transportation Engineer

Phone: (941) 575-3600 Fax: (941) 637-9265 e-mail: gary.grossman@charlottefl.com

Project #: PP-07-08-14 Preliminary Plat Application

Project Name: Ainger Creek Development

Date of Review: August 24, 2007

DRC Meeting Date: October 8, 2007 P&Z/November 20, 2007 BCC

Recommendation: Approve Do Not Approve Preliminary Approval Only

The Applicant, Ainger Creek Properties, LLC, is requesting Preliminary/Final Plat Application approval for the proposed subdivision of Ainger Creek Development, property location: Section 5, Township 41, Range 20, Lots 24, 25, and 26 Grove City Land Company's Subdivision Plat Book 1, Page 11 and other lands described in acreage Section 5, Township 41 South, Range 20 East, Property ID # 0069813-000341-1, 0069816-001000-7, 0069813-000000-2, 0069816-000500-4, 0069813-000300-9, and 0069813-000500-7.

Public Works has reviewed the application and materials submitted and suggest that the DRC Committee recommend denial to the BCC for the following reasons.

The following conditions apply:

1. No comments relative to preliminary plat. Construction Services – Bill Searfoss
2. Awaiting response to comments generated at time of preliminary site plan submittal. Construction Services – Bill Searfoss
3. State plane coordinates are required in at least two places in the legal description. Survey – Ron Rosiere for Ed McDonald
4. A note is required in the Certificate of Surveyor (Charlotte County Code Sec. 3-7-177), if PCP's and property corners are bonded. Survey – Ron Rosiere for Ed McDonald
5. Plat BM's need to be on concrete monuments, not on iron pins in the road. Survey – Ron Rosiere for Ed McDonald
6. The mean high water line needs to be labeled as approximate. Survey – Ron Rosiere for Ed McDonald

7. Offset distance is required from offset corner with control line for closure. Survey – Ron Rosiere for Ed McDonald
8. The approximate mean high water line is not admissible in any court of law as a property boundary. Survey – Ron Rosiere for Ed McDonald
9. The County Surveyor's and County Clerk's Certificates needs to be switched to allow the County Surveyor to seal. Survey – Ron Rosiere for Ed McDonald

GG/cs

copy: Mary Webster, Permitting & Licensing Coordinator



Development Review Committee

Standardized Review and Recommendation Sheet

Department: Public Works From: Gary Grossman, Assistant Transportation Engineer

Phone: (941) 575-3600 Fax: (941) 637-9265 e-mail: gary.grossman@charlottefl.com

Project #: PP-07-08-14 Preliminary Plat Application

Project Name: Ainger Creek Development

Date of Review: August 24, 2007

DRC Meeting Date: October 8, 2007 P&Z/November 20, 2007 BCC

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Public Works has reviewed the material provided for this Preliminary Plat application and there are no recommendations required.

GG/cs

copy: Mary Webster, Permitting & Licensing Coordinator

Ainger Creek Properties, LLC

A Subdivision Lying within
Section 5, Township 41 South, Range 20 East
Charlotte County, Florida

RECEIVED
CHARLOTTE CO. LAND DEV.
2007 SEP 17 PM 1:29

NAME, ADDRESS AND TELEPHONE NUMBERS
OWNER: Ainger Creek Properties, LLC
1250 Central Avenue, St. Petersburg, FL 33711
(727) 822-0580
DEVELOPER: Ainger Creek Properties, LLC
1250 Central Avenue, St. Petersburg, FL 33711
(727) 822-0580
ENGINEER: Hester Engineering Corporation
20020 W. Highway 90, Fort Charlotte, FL 33644
(813) 784-6447
SURVEYOR: Pilgreen Engineering, Inc.
13341 Gulf Road, Montgomery, AL 36116
(334) 772-5287

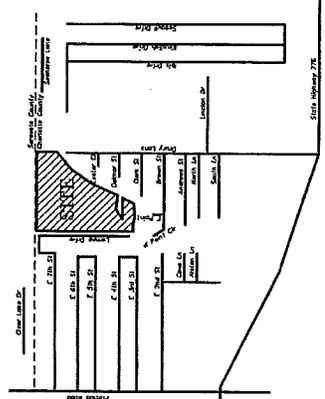
LEGAL DESCRIPTIONS (PER TITLE COMMITMENT)

PARCEL 1
LOTS 14 AND 15, ORANGE CITY LAND COMPANY'S SUBDIVISION OF SECTION 5, TOWNSHIP 41 SOUTH, RANGE 20 EAST, CHARLOTTE COUNTY, FLORIDA, AS SHOWN ON PLAT BOOK 11, PAGE 11, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, AND AS SHOWN ON PLAT BOOK 11, PAGE 11, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

PARCEL 2
THE SE 1/4 OF THE NW 1/4 OF SECTION 5, TOWNSHIP 41 SOUTH, RANGE 20 EAST, IN CHARLOTTE COUNTY, FLORIDA, AS SHOWN ON PLAT BOOK 3, PAGE 26, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, AND AS SHOWN ON PLAT BOOK 3, PAGE 26, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

PARCEL 3
LOT 20, ORANGE CITY LAND COMPANY'S SUBDIVISION OF SECTION 5, TOWNSHIP 41 SOUTH, RANGE 20 EAST, CHARLOTTE COUNTY, FLORIDA, AS SHOWN ON PLAT BOOK 11, PAGE 11, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

PARCEL 4
DESCRIPTION OF A PARCEL OF LAND LYING IN A PART OF ROCK CREEK PARK, IN ADDITION, AS SHOWN ON SAID PLAT BOOK 11, PAGE 11, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, AND AS SHOWN ON PLAT BOOK 11, PAGE 11, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, AND AS SHOWN ON PLAT BOOK 11, PAGE 11, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.



LOCATION MAP
DATE: 08/20/07

CERTIFICATE OF APPROVAL OF COUNTY ATTORNEY
County of Charlotte

I, the undersigned, hereby certify that I have examined and approved this plat for recording this the _____ day of _____, 2007.

County Attorney

CERTIFICATE OF APPROVAL OF PLANNING AND ZONING BOARD
State of Florida
County of Charlotte

I certify that this plat meets the requirements of the applicable Charlotte County Land Use Plan.

Chairman, Board of County Commissioners
Charlotte County Planning and Zoning Board

CERTIFICATE OF APPROVAL OF COUNTY CLERK
State of Florida
County of Charlotte

I, _____, County Clerk of Charlotte County, Florida, hereby certify that this plat complies with the provisions of Chapter 177 of the Florida Statutes and that this plat has been filed for recording in the Public Records of Charlotte County, Florida, on this the _____ day of _____, A.D., 2007.

County Clerk
Charlotte County, Florida

This plat as recorded is its original form in the official possession of the undersigned. Any other printed or digital form of the plat, there may be additional restrictions that are not recorded on this plat that may be found in the public records of this county.

CERTIFICATE OF OWNERSHIP AND DEMONSTRATION
County of Charlotte

Ainger Creek Properties, LLC, a Florida corporation, by its duly elected President, _____, and duly elected Secretary, _____, of the Board of Directors, certifies ownership by said corporation of Ainger Creek Properties, LLC, a Florida corporation, and its heretofore dedicated and set apart Tracts A, B, C, D, E, the front, rear and side of these tracts, and the utility lines, easements, and other appurtenances, and the maintenance of utility and drainage facilities and other purposes consistent with the development of this subdivision, and further certifies that the plat is a true and correct copy of the original plat as recorded in the Public Records of Charlotte County, Florida, and that the plat is a true and correct copy of the original plat as recorded in the Public Records of Charlotte County, Florida, and that the plat is a true and correct copy of the original plat as recorded in the Public Records of Charlotte County, Florida, and that the plat is a true and correct copy of the original plat as recorded in the Public Records of Charlotte County, Florida.

ATTEST: President _____ Secretary _____

ACKNOWLEDGMENT
State of Florida
County of Charlotte

The foregoing instrument was acknowledged before me this _____ day of _____, 2007, by _____, a Florida corporation, on behalf of the corporation. My/His or Her (did not) take on each.

Notary Public _____ My Commission Expires _____

CERTIFICATE OF APPROVAL OF COUNTY ENGINEER
State of Florida
County of Charlotte

I, the undersigned, County Engineer for Charlotte County, Florida, hereby certify that an adequate statement of agreement for providing satisfactory construction of the proposed subdivision has been provided. Said agreement includes conformances to all construction, paving and drainage requirements of the applicable Florida Statutes and that the plat is in compliance with the provisions of said chapter.

County Engineer _____ Date: _____

CERTIFICATE OF APPROVAL OF COUNTY SURVEYOR
State of Florida
County of Charlotte

I, the undersigned Professional Surveyor and Mapper, hereby certify that the survey was made under my responsible direction and supervision, that the survey data complies with the provisions of the applicable Florida Statutes and that the plat is in compliance with the provisions of said chapter.

Surveyor: Edward J. Hochstadt
Florida Professional Surveyor and Mapper No. 2776
Date: _____

COVER SHEET

SHEET TITLE: Preliminary Plat
PROJECT: Ainger Creek Properties, LLC Section 5, Township 41 South, Range 20 East Charlotte County, Florida
PE PILGREEN ENGINEERING, INC. 3307 W. 86th Avenue, Tampa, FL 33618 TEL: (813) 775-7667 FAX: (813) 774-8818
RECORDED BY: DWANER, MTB CHECKED BY: MTB
DATE: 21 June 2007 SCALE: 1" = 100' RECORDING AGENCY: Ainger
SHEET 1 of 5

CERTIFICATE OF APPROVAL OF COUNTY COMMISSIONER
State of Florida
County of Charlotte

I, _____, County Commissioner of Charlotte County, Florida, hereby certify that this plat has been officially approved for record by the Board of County Commissioners of the County of Charlotte, Florida, this the _____ day of _____, A.D., 2007.

Chairman, Board of County Commissioners

CERTIFICATE OF APPROVAL OF CHARLOTTE COUNTY HEALTH DEPARTMENT
State of Florida
County of Charlotte

I, _____, Director of Environmental Health, hereby certify that the requirements of the Charlotte County Health Department have been complied with by the proponent of this plat. Central water and central sewerage is provided.

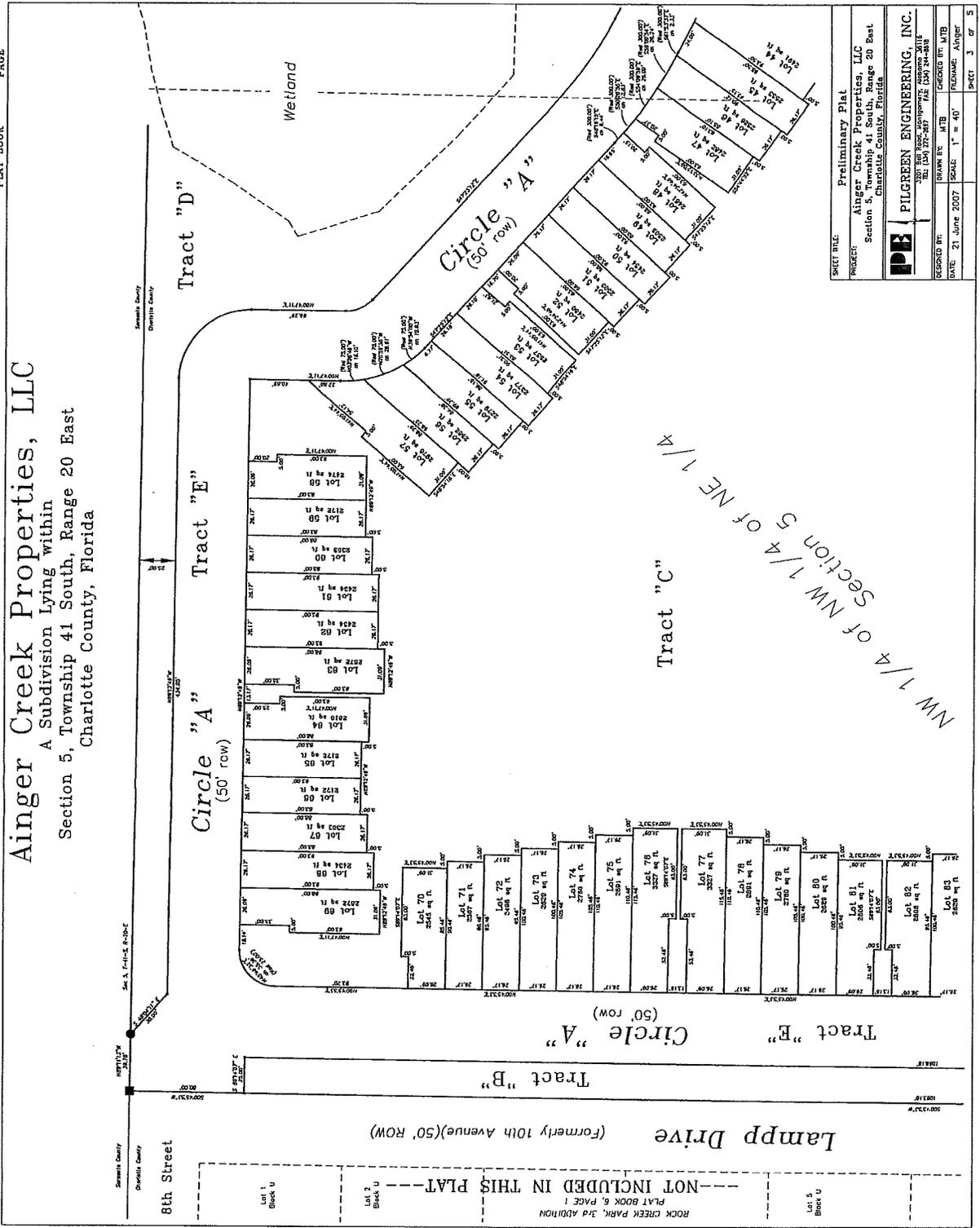
Director of Environmental Health _____ Date: _____

CERTIFICATE OF SURVEYOR
State of Florida
County of Charlotte

I, the undersigned Professional Surveyor and Mapper, hereby certify that the survey was made under my responsible direction and supervision, that the survey data complies with the provisions of the applicable Florida Statutes and that the plat is in compliance with the provisions of said chapter. The permanent control points (city) installation date will be certified by recorded affidavit within one year of the recording of this plat or prior to the release of the improvement loan.

Surveyor: Edward J. Hochstadt
Florida Professional Surveyor and Mapper No. 2776
Date: 15 Aug 2007

Ainger Creek Properties, LLC
 A Subdivision Lying within
 Section 5, Township 41 South, Range 20 East
 Charlotte County, Florida



SHEET TITLE: Preliminary Plat PROJECT: Ainger Creek Properties, LLC Section 5, Township 41 South, Range 20 East, Charlotte County, Florida	
DESIGNED BY: [Signature] DATE: 21 June 2007	CHECKED BY: MTB SCALE: 1" = 40' PLANNED BY: Ainger
SHEET 3 OF 5	

NW 1/4 of Section 5 of NE 1/4

