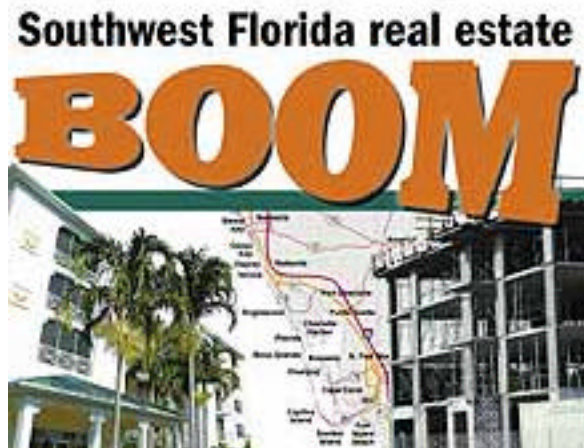


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Developers descending on Charlotte

A new generation of developers have discovered Charlotte County, and they often think differently than those the county has seen in the past.

Several of the county's land use attorneys are seeing a few of those new faces lately.

Geri Waksler, of Moore and Waksler, often represents developers before the Charlotte County Commission or the Punta Gorda City Council. She's been practicing land use law in the county for 14 years. When she first put out her shingle, Waksler said the Murdock and Sandhill, which is Deep Creek, approved plans for Development of Regional Impact (DRI's). Those large developments were what drove real estate in Charlotte County.

"We're seeing out-of-town developers, which started with the commercial development of the Target, Marshall's and the strip malls," Waksler said, describing many of them as the developers who completed large projects in Collier County. She also suggested that Charlotte County has been "identified" as where they want to come next, as Naples was 20 years ago.

"Thirteen years ago, my (law) practice was rezoning of a small parcel or special exemptions -- one shot deals" she said. "They were local (property) owners looking to change land use.

"Now, I'm dealing with regional, state and national developers on a regular basis and who are doing much more complex projects," she said. "In the mid-1990s, you started to see the investors, groups that were buying land, rezoning it and holding it until Charlotte County was 'the good place to be.' And now, you're starting to see the end users, the developers buying the land from the investors and looking to do projects."

What's considered "remote" properties by some locally, isn't what incoming developers consider remote, Waksler said. She cited Bonita Springs as an area that once was viewed as remote, but soon was transformed by Bonita Bay and other developers. Burnt Store and undeveloped stretches along U.S. 41 south of Punta Gorda are attractive sites for the future.

They say they will also work with county or city staff, Waksler said. They are generally willing to revise their plans to meet the concerns of staff or the elected board.

These new developers also are willing to work with any environmental constraints, realizing that a selling point for residential development can be environmental amenities, Waksler said.

"Thirteen years ago, the thinking was take all the trees now and build a golf course -- look at Deep Creek," she said. "Even Punta Gorda Isles. You can't do a PGI now. You can't dig up a bunch of canals that go nowhere, dredge and fill. It just wouldn't be allowed."

Robert Berntsson is an attorney who works on both sides of the governmental DAI's.

His firm -- McKinley, Ittersagen, Gurderson & Berntsson -- has represented developers before the Charlotte County Commission. But he's been on the other side in Punta Gorda, serving as the city attorney since 1998. Before entering into private practice, he also served as a Charlotte County assistant attorney from 1989 to 1991.

In the last few years Berntsson -- like Waksler -- said he's seeing developers from Collier and elsewhere drifting into Charlotte County.

"Traditionally, you had developers who were here for the long haul and had a working relationship with the county," Berntsson said, but that's changed. "I think it's because (land) values have skyrocketed in the surrounding counties and more affordable to get in here. We still lag behind in waterfront and land values in general."

Charlotte County, Berntsson suggested, has become a land of "opportunity." Many of these newcomers to the county, he said, are experienced and "pretty savvy."

Michael Haymans -- an attorney with Farr, Farr, Emerich, Sifrit, Hackett & Carr -- grew up in Punta Gorda and has been practicing law in Charlotte County since 1983. He can recall when the now defunct General Development Corp. and Punta Gorda Isles developers represented the "big boys" in the county. Rotonda was in its infancy.

"That's gone now," Haymans said. "We now have our platted lots. We have an over-abundance of platted lots, and that's been part of our problem."

Now, the county sees smaller developers trying to pull properties together to create niche developments, Haymans said. These developers are looking at 20 to 50 acre tracts, he suggested.

"There are new guys who have an idea and are coming in shopping for a team put together to accomplish their development goals," he said. "Some of them are coming from Naples, some of them are coming from the (Florida) East Coast, and some of them are coming from North, people who aren't ready to retire."


Traditionally, developers had expectations that they could do what they want, Haymans said. But now, he said the new generation of developers recognize their limitations and create professional teams -- made up of attorneys, engineers and other professionals -- to achieve their goals.

"They know the envelope is out there," Haymans said.

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