



**NOTIFICATION OF BUILD-OUT DATE AND DEVELOPMENT ORDER
EXTENSIONS**

**Western Grove Development of Regional Impact
City of Port St. Lucie, FLORIDA**

Date: September 11, 2020; October 21, 2020 (revised)

To: City of Port St. Lucie

Attention: Bridget Kean, Senior Planner
121 S.W. Port St. Lucie Boulevard
Port St. Lucie, Florida 34984

RE: RE: Western Grove Development of Regional Impact Development Order (Western Grove DRI DO) - Statutory Time Extension Pursuant to Section 252.363, Florida Statutes

Dear Ms. Kean,

Section 252.363, Florida Statutes provides in part as follows:

252.363 Tolling and extensions of permits and other authorizations.

(1)(a) The declaration of a state of emergency by the Governor tolls the period remaining to exercise the rights under a permit or other authorization for the duration of the emergency declaration. Further, the emergency declaration extends the period remains to exercise the rights under a permit or other authorization for 6 months in additions to the tolled period. This paragraph applies to the following:

1. The expiration of development order issued by a local government.
2. The expiration of a building permit.
3. The expiration of a permit issued by the Department of Environmental Protection or a water management district pursuant to part IV of chapter 373.
4. The buildout date of a development of regional impact, including any extension of a building date that was previously granted pursuant to 380.06(19)(C).

(b) Within 90 days after the termination of the emergency declaration, the holder of the permit or other authorization shall notify the issuing authority of the intent to exercise the tolling and extension granted under paragraph (a). The notice must be in writing and identify the specific permit or other authorization quality for extension.

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The Governor has recently executed several Executive Orders for Hurricane(s) Dorian and Isaias. In an effort to reduce confusion with applying for both time extensions separately, the Applicant has combined and analyzed all the requests for the multiple Executive Orders as contained herein.

Hurricane Dorian

On August 28, 2019, the Governor issued Executive Order 19-189. Executive Order 19-189 declared a state of emergency for the threat posed by Hurricane Dorian. Executive Order 19-189 was approved with an expiration date of 60 days. However, Executive Orders 19-190, 19-206, 19-234, 19-281, 20-43, and 20-106 extended the original Executive Order for a total of 293 days. Based on these Executive Orders, Section 252.363, F.S authorizes a time extension of 293 days. Pursuant to Section 252.363(1)(a), F.S the period remaining to exercise the rights under a permit or other authorization is tolled for the duration of the emergency declaration, plus an additional six months thereafter. The time tolled and extended pursuant to Section 252.363(1) for Executive Order 19-189 is 293 days and 6 months thereby extending: 1) Ordinance 18-R84 Buildout Date from November 9, 2047 until February 26, 2049; and 2) Ordinance 18-R84 Development Order expiration from November 8, 2054 until February 25, 2056.

Hurricane Isaias

On, July 31, 2020, the Governor issued Executive Order 20-181. Executive Order 20-181 declared a state of emergency for the threat posed by Hurricane Isaias. Executive Order 20-181 was initially approved with an expiration date of 60 days. However, Executive Order 20-195 issued on August 11, 2020 terminated the emergency on August 11, 2020. Based on this Executive Orders, Section 252.363, F.S authorizes a time extension of 11 days. Thus, the tolling period for exercising rights pursuant to the specified permits or authorizations is for eleven days and 6 months, thereby extending: 1) Ordinance 18-R84 Buildout Date until September 6, 2049; and 2) Ordinance 18-R84 Development Order expiration until September 5, 2056.

The following table also lists the current expiration date for the subject permits, as well as the new expiration date, pursuant to Executive Orders for Hurricane Dorian and Hurricane Isaias.

Executive Orders (EO)	Reference #	Date EO Issued	Tolling	Total Period
Hurricane Dorian	19-189	8/28/19	60 days	293 days plus 6 months

Executive Orders (EO)	Reference #	Date EO Issued	Tolling	Total Period
	19-234	10/25/19	60 days	
	19-281	12/19/19	60 days	
	20-43	2/17/20	60 days	
	20-106	4/17/20	60 days	
	252.363(1)(a)		6 months	
Hurricane Isaias	20-181	7/31/2020	11 days	11 days plus 6 months
	252.363(1)(a)		6 months	
Project Name	Project #	Approval Date	Prior Extensions	Expiration Date
WG DRI Build Out Date	Ordinance 18-R84	November 13, 2018	Reso 16-R24	11/9/2047
WG DRI DO expiration	Ordinance 18-R84	November 13, 2018	Reso 16-R24	11/8/2054

Executive Orders (EO)	Reference #	Date EO Issued	Tolling	Total Period
Executive Orders				Statutory Extensions
Hurricane Dorian	EO 19-189	8/28/2019	293 days and 6 months	2/26/2049
Hurricane Isaias	EO 20-181	7/31/2020	11 days and 6 months	9/6/2049
New Expiration Date Buildout Date				9/6/2049
Hurricane Dorian	EO 19-189	8/28/2019	293 days and 6 months	2/25/2056
Hurricane Isaias	EO 20-181	7/31/2020	11 days 6 months	9/5/2056
New Expiration Date Development Order				9/5/2056

This letter shall also serve as notice that all such other applicable dates in the Western Grove DRI covered under Section 252.363(1)(a), Florida Statutes, are also hereby extended.

Mattamy Palm Beach LLC, anticipates that all other terms and conditions of the approvals and permits will be complied with during the term of this extension. Please provide us with written confirmation of the expiration date. If you have any questions or require additional please feel free to contact me. Thank you for your ongoing assistance with this project.

Sincerely,



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