

**BEFORE THE COUNTY COMMISSION
POLK COUNTY, FLORIDA**

IN RE: A Petition to Establish the Grenelefe)
 Community Development District)
_____))

AFFIDAVIT ADOPTING WRITTEN, PRE-FILED TESTIMONY

STATE OF FLORIDA
COUNTY OF POLK

I, Bart Allen, being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters set forth in this affidavit.
2. My name is John Barton ("Bart") Allen, and I am a shareholder at Peterson & Myers, P.A.
3. The prepared written, pre-filed testimony submitted under my name to the Polk County, relating to the establishment of the Grenelefe Community Development District ("District") and attached hereto, is true and correct.
4. If I were asked the questions contained in the pre-filed testimony orally at the District establishment hearing, my oral answers would be the same as the written answers presented in my pre-filed testimony.
5. My credentials, experience and qualifications concerning my work with land development projects as a professional engineer are accurately set forth in my pre-filed testimony.
6. My pre-filed testimony generally addresses the nature of the services and facilities anticipated by the proposed District.
7. No corrections or amendments to my pre-filed testimony are required.

[CONTINUED ON FOLLOWING PAGE]

Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

Executed this 30th day of DECEMBER, 2024.



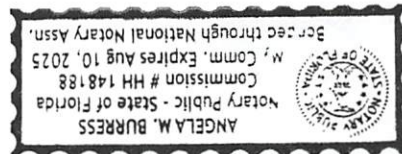
John B. ("Bart") Allen, Esq.

SWORN TO and SUBSCRIBED before me by means of ☐ physical presence or ☐ online notarization, this 30 day of December, 2024 by the Affiant.


(Official Notary Signature)

[notary seal]

Name: _____
Personally Known _____
OR Produced Identification _____
Type of Identification _____



1 **TESTIMONY OF JOHN B. ("BART") ALLEN, ESQ., FOR ESTABLISHMENT**
2 **OF GRENELEFE COMMUNITY DEVELOPMENT DISTRICT**
3

4 **1. Please state your name and business address.**
5

6 My name is John B. ("Bart") Allen and my business address is c/o Peterson & Myers, P.A.,
7 225 E. Lemon Street, Suite 300, Lakeland, Florida 33801.
8

9 **2. By whom are you employed and in what capacity?**
10

11 I am a shareholder at Peterson & Myers, P.A.
12

13 **3. How long have you held that position?**
14

15 I have been an attorney at Peterson & Myers, P.A. for over sixteen (16) years and a
16 shareholder since 2018.
17

18 **4. Please give your educational background, with degrees earned, major areas of study**
19 **and institutions attended.**
20

21 I graduated from Auburn University with a Bachelors of Chemical Engineering, with an
22 environmental specialization in 2000. After practicing engineering for over four (4) years,
23 I attended law school at the Cumberland School of Law in 2004 and graduated with a Juris
24 Doctorate in 2007.
25

26 **5. Do you have any professional licenses, registrations, or certifications?**
27

28 I am a licensed attorney in the State of Florida with a Registration Number 0043173.
29

30 **6. Are you a member of any professional associations?**
31

32 I am a member of the Florida Bar Association.
33

34 **7. Please summarize your previous experience as it relates to public facility design and**
35 **construction and land development and planning.**
36

37 I have represented clients related to land use, land development, planning and entitlements
38 for clients in central Florida for various development clients for the past seventeen (17)
39 years.
40

41 **8. Have you been involved in any developments of the type and nature contemplated**
42 **within the proposed Grenelefe Community Development District ("Proposed**
43 **District")?**
44

45 Yes.

1
2 **9. Are you familiar with the *Petition to Establish the Grenelefe Community Development***
3 ***District* (“Petition”) filed by Grenelefe Resort Development, LLC (“Petitioner”),**
4 **seeking the establishment of the Proposed District?**

5
6 Yes.

7
8 **10. In the course of your work in Florida, have you had an opportunity to work with the**
9 **State Comprehensive Plan found in Chapter 187, *Florida Statutes*?**

10
11 Yes. In the course of producing planning documents for private development proposals, I
12 have often referred to the State Comprehensive Plan.

13
14 **11. In the course of your work in Florida, have you had an opportunity to review local**
15 **government comprehensive plans?**

16
17 Yes. In fact, I have reviewed the Polk County Comprehensive Plan in the course of my
18 work.

19
20 **12. At this point, I will ask you to address certain matters that are related to land use and**
21 **comprehensive planning. Are you familiar with the development approvals that have**
22 **been obtained or are being sought by the Petitioner to govern the lands within the**
23 **Proposed District?**

24
25 Yes, I am.

26
27 **13. Based upon your experience with planning, do you have an opinion as to whether the**
28 **Proposed District is inconsistent with any portion or element of the State**
29 **Comprehensive Plan found in Chapter 187, *Florida Statutes*?**

30
31 Yes, I do have an opinion.

32
33 **14. What is that opinion?**

34
35 In my opinion, the Proposed District is not inconsistent with the applicable provisions of
36 Chapter 187, *Florida Statutes*.

37
38 **15. What is the basis for your opinion?**

39
40 I have reviewed, from a planning perspective, applicable portions of the State
41 Comprehensive Plan which relate to community development districts. The State
42 Comprehensive Plan “provide[s] long-range policy guidance for the orderly social,
43 economic, and physical growth of the state.” The State Comprehensive Plan provides
44 twenty-five (25) subjects, and numerous goals and policies. Three subjects are particularly
45 relevant, from a planning perspective, to the establishment of the CDDs: No. 15 - Land

1 Use, No. 17 – Public Facilities, and No. 25 - Plan Implementation. Several of the policies
2 and goals are particularly supportive of the establishment of the Proposed District.
3

4 **16. Why is subject No. 15 in the State Comprehensive Plan relevant to the establishment**
5 **of the Proposed District?**
6

7 This subject – Land Use – recognizes the importance of enhancing the quality of life in the
8 State of Florida and attempts to do so by ensuring that development is located in areas that
9 have fiscal abilities and service capacity to accommodate growth. CDDs are designed to
10 provide services and facilities in a fiscally responsible manner to areas which can
11 accommodate development. The Proposed District is consistent with this goal because it
12 will continue to have the fiscal capability to provide a range of services and facilities to a
13 population in a designated growth area.
14

15 **17. Are any of the policies under subject No. 15 relevant?**
16

17 Yes. Policy 1 promotes efficient development activities in areas which will have the
18 capacity to service new populations and commerce. The Proposed District will be a vehicle
19 to provide high quality services in an efficient and focused manner over the long term.
20

21 **18. What is Subject 17 and why is it relevant?**
22

23 Subject 17 addresses Public Facilities. The goal is to finance new facilities in a timely,
24 orderly and efficient manner. In particular, Policy 3 states that the cost of new public
25 facilities should be allocated to existing and future residents on the basis of the benefits
26 received. Policy 6 also encourages the identification and implementation of innovative but
27 fiscally sound and cost-effective techniques for financing public facilities. Establishment
28 of the Proposed District will further this goal and related policies.
29

30 **19. Why is subject No. 25, the other subject you mentioned, relevant to the establishment**
31 **of the Proposed District?**
32

33 Subject No. 25 addresses Plan Implementation. This goal requires that systematic planning
34 capabilities be integrated into all levels of government throughout the state, with particular
35 emphasis on improving inter-governmental coordination and maximizing citizen
36 involvement. The Proposed District will operate through a separate and distinct Board of
37 Supervisors who will systematically plan the construction, operation and maintenance of
38 public improvements and community facilities authorized under Chapter 190, *Florida*
39 *Statutes*, subject to and not inconsistent with the local government comprehensive plan and
40 land development regulations. Further, meetings held by the Board of Supervisors are
41 publicly advertised and open to the public.
42

43 **20. Are there any relevant policies in Subject 25 of the State Comprehensive Plan?**
44

1 Yes. Policy 6 encourages public citizen participation at all levels of policy development,
2 planning and operations. Under Chapter 190, *Florida Statutes*, six (6) years after the
3 establishment of a CDD, and after two hundred and fifty (250) electors reside in the CDD,
4 the election of the Board of Supervisors begins to transition from a landowner-elected
5 Board to a resident-elected Board. Regardless of whether the board is elected by the
6 landowners or the residents, the Proposed District must convene its meetings in accordance
7 with government in the sunshine provisions set forth in Chapter 286, *Florida Statutes*. This
8 encourages citizen participation in the planning and operational activities of the district.
9

10 **21. Based upon your experience with planning, do you have an opinion as to whether**
11 **establishment of the Proposed District is inconsistent with any portion or element of**
12 **the Polk County Comprehensive Plan?**
13

14 Yes, I do.
15

16 **22. What is that opinion?**
17

18 In my opinion, the establishment of the Proposed District is not inconsistent with any
19 applicable provisions of the Polk County Comprehensive Plan.
20

21 **23. What is the basis for that opinion?**
22

23 My opinion is based upon years of experience reviewing comprehensive plans (including
24 for purposes of this project the current Polk County Comprehensive Plan) and there not
25 being any provisions that would render a CDD inconsistent. Furthermore, Chapter 190,
26 *Florida Statutes*, prohibits any CDD from acting in a way that is inconsistent with the local
27 government's comprehensive plan, the exercising of any power must be done with the
28 comprehensive plan in mind.
29

30 It is my opinion, therefore, that with respect to the establishment of the Proposed District,
31 the Proposed District will not be inconsistent with any applicable element or portion of the
32 Polk County Comprehensive Plan.
33

34 **24. Does this conclude your testimony?**
35

36 Yes, it does.