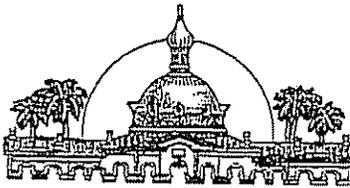


#17



BOARD OF COUNTY COMMISSIONERS
Kathy Castor
Pat Frank
Ken Hagen
Jim Norman
Jan K. Plutt
Thomas Scott
Ronda Starna

Hillsborough County
Florida

Assistant County Administrators
Bernardo Garcia
Carl S. Harness

Office of the County Administrator
Patricia G. Bean

PLANNING & GROWTH MANAGEMENT DEPARTMENT

FACISIMILE COVER SHEET

TO: John Meyer
Tampa Bay Regional Planning Council

FAX # 727.570.5118

FROM: John E. Healey, AICP, Principal Planner
Ph: 813.276.8393 Fax: 813.272.6068
E-mail: healeyj@hillsboroughcounty.org

DATE: 9 December 2003

RE: Carrollwood Village DRI - Essentially Built-Out Agreement

Number of pages (including cover sheet): 12

John:

As requested.

If you have any questions or need additional information please call me at 813.276.8393. Thank you.

Post Office Box 1110 Tampa, Florida 33601
Web Site: www.hillsboroughcounty.org
An Affirmative Action/Equal Opportunity Employer



BOARD OF COUNTY COMMISSIONERS

Received Time Dec. 2:08PM

RECEIVED

Office of the County Attorney

FEB 12 2001

PLANNING & GROWTH
MANAGEMENT DEPARTMENT

County Center
601 E. Kennedy Blvd. -- 27th Floor

Mailing Address:
P.O. Box 1110
Tampa, Florida 33601
(813) 272-5670
Fax (813) 272-5231



Hillsborough County
Florida

- Emeline C. Acton, County Attorney
- Ronald G. McCord, Chief Assistant
- Donald R. Odom, Chief Assistant
- James J. Porter, Chief Assistant
- Jennie Cranahan Tarr, Chief Assistant
- Guilzina F. Theodore, Chief Assistant
- Beth Novak, Administrator

MEMORANDUM

To: Susan Boleman, BOCC Records
 From: Susan J. Fernandez, Senior Assistant County Attorney
 Date: July 19, 1999
 Subject: Carrollwood Village DRI #74-4; Essentially Built-Out Agreement

Attached is an ORIGINAL of the above-reference agreement for filing with your office. The Essentially Built-Out Agreement was approved by the Board of County Commissioners (BOCC) on June 8, 1999.

Thank you, and please call if you have questions.

SJF/dc
Attachment

Wland/boleman;agmt.memo.wpd

An Affirmative Action/Equal Opportunity Employer

**ESSENTIALLY BUILT-OUT AGREEMENT
PURSUANT TO §380.032(3) AND §380.06(15)(g)(3), FLORIDA STATUTES**

This Agreement ("Agreement") is entered into by and between JoANN R. CLONTZ ("Clontz"), HILLSBOROUGH COUNTY, FLORIDA (the "County") and STATE OF FLORIDA, DEPARTMENT OF COMMUNITY AFFAIRS (the "Department") subject to all other governmental approvals and solely at Clontz's own risk.

WHEREAS, Clontz is the owner and developer of that certain 1.64 acre parcel described in Exhibit "A" attached hereto (the "Clontz Property") which property is located within the Carrollwood Village development of regional impact ("DRI"); and

WHEREAS, Hillsborough County is a political subdivision of the State of Florida; and

WHEREAS, the Department is the state land planning agency having the power and duty to exercise general supervision of the administration and enforcement of Chapter 380, Florida Statutes ("F.S."), which includes provisions relating to DRIs; and

WHEREAS, pursuant to Subsection 380.032(3), F.S., the Department is authorized to enter into agreements as may be necessary to effectuate the provisions and purposes of Chapter 380, F.S.; and

WHEREAS, Section 380.06(15)(g)(3), F.S., provides for an agreement pursuant to Section 380.032, F.S. to govern an essentially built-out DRI; and

WHEREAS, Clontz, the County and the Department desire to enter into this agreement pursuant to Sections 380.06(15)(g)(3) and 380.032(3), F.S.; and

WHEREAS, on March 15, 1974, the Hillsborough County Board of County Commissioners issued Development Order No. 17 for the Carrollwood Village DRI (the "Development Order") and thereby approved a 1,910.0 acre multi-use development to be composed of 700,000 square feet of retail development, 450,000 square feet of office development, 4,919 residential dwelling units, a golf course facility and other related uses; and

WHEREAS, on April 1, 1981, the Board of County Commissioners amended the Development Order to permit dedication of specific right-of-way to Hillsborough County and construction of specific road improvements within said right-of-way; and

WHEREAS, on November 20, 1984, the Board of County Commissioners amended the Development Order through Resolution No. R84-0184 to extend the effective period of the development order for five (5) years; and

WHEREAS, on July 18, 1991, the Board of County Commissioners amended the Development Order through Resolution No. R91-0158 to extend its effective period for 30 months applicable only to a 1.02 acre parcel; and

WHEREAS, on April 23, 1996, the Board of County Commissioners amended the Development

Order through Resolution No. R96-062 to extend its effective period for 35 months applicable only to a 6.2 acre parcel; and

WHEREAS, the Development Order expired on November 20, 1989 (the "Expiration Date"), except as extended for the two parcels referenced above pursuant to Resolutions R91-0158 and R96-062, and further development therefore will require an amendment to the DRI or an agreement pursuant to Section 380.032, F.S.; and

WHEREAS, the development approved pursuant to the parcel specific extensions by Resolutions R91-0158 and R96-062 has been completed; and

WHEREAS, the development that was approved within the DRI prior to the Expiration Date is described in Exhibit "B" attached hereto; and

WHEREAS, the development within the DRI that has been constructed to date also is described in Exhibit "B" attached hereto; and

WHEREAS, the development approved prior to the Expiration Date, but not constructed, also is described in Exhibit "B" attached hereto.

WHEREAS, the Clontz Property is the only undeveloped nonresidential parcel within the DRI (which parcels total ± 1.64 acres), and is designated for office development on the DRI Map H; and

WHEREAS, Clontz desires to construct 18,000 square feet of office development on the Clontz Property; and

WHEREAS, in addition to the Clontz Property, there is one 4.6 acre (approximate) undeveloped parcel designated for residential use, and approximately 9 scattered, undeveloped single family platted lots remaining in the DRI; and

WHEREAS, all Carrollwood Village DRI Development Order requirements for the contribution of funds, land, and public facilities expressly designated and used to mitigate impacts attributable to the development at the time of approval have been satisfied; and

WHEREAS, development within the DRI is substantially in compliance with the Development Order in that the impacts of the total development are less than the impacts of the approved development as described in the report attached hereto as Exhibit "C"; and

WHEREAS, the DRI and the parties hereto are governed by the Sustainable Communities Designation Agreement between the County, the Department and the City of Tampa.

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, it is hereby understood and agreed as follows:

1. The parties agree that pursuant to Section 380.06(15)(g)(3), F.S., the Carrollwood Village DRI is "essentially built-out" because (a) the development is substantially in compliance with all applicable terms and conditions of the Carrollwood Village DRI Development Order except the

build-out date, and (b) the amount of development that remains to be built on the undeveloped parcels referenced above does not create the likelihood of any additional regional impacts not previously reviewed.

2. Clontz has submitted a traffic analysis to identify the impacts of the development of the Clontz Property for 18,000 square feet of office uses. The result of this study identifies that the proposed development complies with concurrency. Based on this study and the fact that the Development Order has expired and the DRI is essentially built out, development of the Clontz Property for 18,000 square feet of office uses may proceed without further review under Section 380.06, F.S., but subject to the Hillsborough County Comprehensive Plan and Land Development Code.

3. The Department and the County agree that the approximately nine (9) undeveloped platted single family lots and the approximately 4.6 acre undeveloped residential parcel may be developed for single family homes in accordance with the current zoning of said parcels without further review under Section 380.06, F.S., but subject to the Hillsborough County Comprehensive Plan and Land Development Code. The Department and the County agree that any further development within the DRI other than that approved herein shall be subject to review under the then effective provisions of Section 380.06, F.S.

4. After the effective date of this Agreement, any annual reports which may be required for the DRI pursuant to Section 380.06(18), F.S., shall no longer be required.

5. Clontz asserts and warrants that all of the representations and statements made as set forth in this Agreement are true, accurate and complete. Based upon such representations and statements, the Department concludes that this Agreement is in the best interest of the State, is necessary and beneficial to the Department in its role as the state agency with the responsibility for the administration and enforcement of Chapter 380, F.S. and reasonably applies and effectuates the provisions and purposes of Chapter 380, F.S.

6. In the event of a breach of this Agreement or failure to comply with any condition of this Agreement, or if this Agreement is based upon materially inaccurate information, the Department or the County may terminate this Agreement or file suit to enforce this Agreement as provided in Section 380.06 and 380.11, F.S.

7. Nothing in this Agreement shall constitute a waiver by any party of the right to appeal any development order pursuant to Section 380.07, F.S., except as acknowledged herein.

8. Nothing contained herein shall exempt any proposed new development from complying with the state guidelines and standards used to determine whether a development must undergo DRI impact review pursuant to Section 380.06(2), F.S.

9. This Agreement affects the rights and obligations of the parties under Chapter 380, F.S. It is not intended to determine or influence the authority or decisions of any other state or local government or agency in issuance of any other permits or approvals which might be required by state law or local ordinance for any development authorized by this Agreement. This Agreement shall not prohibit the regional planning agency from commenting on any regional issue.

10. The terms and conditions of this Agreement shall inure to the benefit of and be binding upon the heirs, personal representatives, successors and assigns of the parties hereto. Clontz shall ensure and provide that any successor in interest in and to any of its lands or parcels affected by this Agreement is bound by the terms of this Agreement. Clontz shall record a Notice of Adoption of this Agreement in the Official Records of Hillsborough County, Florida, and shall provide the Department with a copy of the recorded notice, which shall be in substantially the form attached hereto as Exhibit "D", including Book and Page number within two (2) weeks of the date of execution of this Agreement.

11. The effective date and date of execution of this Agreement shall be the date that the last party signs and acknowledges this Agreement.

12. This Agreement may not be amended or modified except in a writing executed by the Department, the County and the applicable property owners.

ATTEST:
RICHARD AKE, Clerk of Circuit Court



[Signature]
Deputy Clerk

HILLSBOROUGH COUNTY, a political subdivision of the State of Florida

By: [Signature]
Chairman, Board of County Commissioners

APPROVED BY COUNTY ATTORNEY

[Signature]
Approved As To Form and Legal Sufficiency

ATTEST:

[Signature]
Print Name: Christina Robinson

[Signature]
Print Name: SUE E. HERSHEY

[Signature]
JOANN R. CLONTZ

BOARD OF COUNTY COMMISSIONERS
HILLSBOROUGH COUNTY FLORIDA
DOCUMENT No. 99-1100

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument is hereby acknowledged before me this 9th day of June, 1999,
by Jo-Ann R. Clontz. She is personally known to me or has produced W/A a s
identification and (did/did not) take an oath.



Christina L. Robinson
My Commission CC570650
Expires Aug. 25, 2000

Christina L. Robinson
NOTARY PUBLIC
My Commission Expires: Aug. 25, 2000

ATTEST:

DEPARTMENT OF COMMUNITY AFFAIRS

By: J. Thomas Beck
Director, Community Planning Secretary

Approved as to Form and Legal Sufficiency

[Signature]

Counsel
Department of Community Affairs

EXHIBIT "A"

Cloniz Property

DESCRIPTION:

From the Northwest corner of the Southeast 1/4 of Section 4, Township 28 South, Range 18 East, Hillsborough County, Florida; run thence North 89°45'15" East, 499.55 feet along the North boundary of the Southeast 1/4 of said Section 4; thence South 00°50'00" East, 1045.83 feet, along the West Right-of-Way line of Dale Mabry Highway (State Road No. 597) thence continuing along said West right-of-way line, Southerly 119.67 feet; along the arc of a curve concave to the East and having a radius of 5861.58 feet (chord bearing South 01°24'04" East 119.67 feet) thence South 89°10'02" West, 242.96 feet, to the Point of Beginning; thence South 00°49'58" East, 37.81 feet thence South 44°10'02" West, 89.49 feet; thence South 89°10'02" West 85.00 feet; thence South 00°49'58" East, 288.91 feet; thence South 89°10'02" West, 111.07 feet; thence Northwesterly, 36.86 feet, along the arc of a curve concave to the Northeast and having a radius of 25.00 feet (chord bearing North 48°35'52" West, 33.61), thence Northerly 368.39 feet, along the arc of a curve concave to the East and having a radius of 7304.25 feet (chord bearing North 04°55'05" West, 368.35 feet); thence North 89°10'02" East 310.47 feet, to the Point of Beginning. Containing 1.64 acres, more less.

EXHIBIT "B"

CARROLLWOOD VILLAGE DRI ENTITLEMENTS ANALYSIS

<u>USE CATEGORY</u>	<u>ORIGINAL APPROVALS</u>	<u>LAST REVISED APPROVALS</u>	<u>CONSTRUCTED</u>	<u>APPROVED BUT UNBUILT AS OF EXPIRATION DATE*</u>	<u>AMOUNT OF DEVELOPMENT TO BE BUILT ON UNDEVELOPED PARCELS</u>
Single Family	3,444	3,420	2,544	876	4.6 ac
Multi-Family	1,475	1,475	1,251	224	
ACLF	<u>0</u>	<u>24</u> (120 beds)	<u>24</u>	<u>0</u>	<u> </u>
TOTAL	4,919	4,919	3,819	1,100	4.6 Acres**
Retail	700,000	700,000	734,318	(34,318)	
Office	450,000	232,117	232,117	217,883	18,000

* Except as extended by two individual parcels pursuant to Resolutions 91-0158 and R96-062.
 ** Plus Approximately 9 platted, but unbuilt single family lots

EXHIBIT "C"

DRI Compliance Report

As originally approved, Carrollwood Village was a specifically approved four phase project permitting 4,919 residential units, 44 acres (or 450,000 sq. ft.) of business and professional uses, and 62 acres of shopping uses (estimated at 700,000 sq. ft. in the original Application for Development Approval narrative). Over the past 25 years, an estimated 3,819 residential units (2,544 single family, 1,251 multi-family and a 120 bed Congregate Living facility) and 966,000 sq. ft. of retail and office uses have been constructed in addition to a school, day care, churches, and a golf course. The table below tallies the sole remaining vacant parcels within the Carrollwood Village DRI project:

	estimated acres	estimated entitlement
vacant office site	1.64	18,000 sq. ft
vacant unplatted residential	4.60	11 single family units*
vacant platted lots	1.50	9 single family units
total	7.74	

* according to zoning petition RZ 79-227

The remaining vacant sites total approximately 7.74 acres or less than 1% of the 862 acre project and are indicated on the attached vicinity map.

As indicated in the following table, there appears to be a surplus of residential and office entitlements and a deficiency of commercial entitlements in comparing what was originally approved with what was actually built. The Carrollwood Village DRI Development Order does not clearly provide for a trade-off mechanism to permit an exchange in office and commercial development entitlements to account for the commercial entitlement deficit. However, in reviewing the development record of the project over the last 25 years, each conversion from one use to another occurred through a zoning amendment approved by the Board of County Commissioners and in each of these amendments a trade-off analysis was utilized to ensure no increase in impacts.

As shown in the table below, after a 25 year span of development with the many developers involved with Carrollwood Village, there remains a net decrease in traffic impacts compared with what was originally approved and mitigated. Furthermore, this remains true taking into account estimated development impacts for the two remaining vacant unplatted parcels as well as the 9 platted vacant single family lots.

	Residential Units	Office Sq. Ft.	Commercial Sq. Ft.	Average Daily Trips
original approval	4,919	450,000	700,000	85,332
actually built (estimated)	3,795	232,117	734,318	83,650
difference	1,124	217,883	- 34,318	1,682
plus remaining to be built	20	18,000	-0-	355
ultimate build out difference	1,104	199,883	- 34,000	1,327

What the above table clearly indicates is that the impacts of what was actually built is 1,300 trips fewer than the original amount of approved development. Thus, from an evaluation of regional impacts, what was built and remains to be built is less than what was approved and mitigated, and for the purposes of finding the project Essentially Built Out, County staff considers the project in compliance.

H:\GAD\Kevin\exhibits.km

EXHIBIT "D"

**Notice of Essentially Built-Out DRI Agreement
Pursuant to §380.032(3) and §380.06(15)(G)(3), Florida Statutes**

PLEASE TAKE NOTICE that a Section 380.032(3), F.S. Agreement covering the property more particularly described on Exhibit "A" attached hereto was entered into June 9, 1999 pursuant to Sections 380.032(3) and 380.06(15)(g)(3), F.S., among the Florida Department of Community Affairs, Hillsborough County, Florida and Jo-Ann R. Clontz. The Agreement may be examined at the office of the Department of Community Affairs, Bureau of State Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, (850) 488-4925.

WITNESSES

Julie Hershey
Christie Robinson

Jo-Ann R. Clontz
Jo-Ann R. Clontz

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument is hereby acknowledged before me this 9th day of June, 1999, by Jo-Ann R. Clontz. She is personally known to me or has produced NA as identification and (did/did not) take an oath.



Christina L. Robinson
My Commission CC578890
Expires Aug. 25, 2000

Christie L. Robinson
NOTARY PUBLIC
My Commission Expires: Aug. 25, 2000

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



Clerk to Board of
County Commissioners
County Center, 12th Floor
601 E. Kennedy Blvd.
P.O. Box 1110
Tampa, Florida 33601
Telephone 276-2029, ext. 6730

April 23, 1996

TIM BUTTS DRI COORDINATOR
TAMPA BAY REGIONAL PLANNING COUNCIL
9455 KOGER BOULEVARD, SUITE 219
ST. PETERSBURG, FL 33702

Re: Resolution No. R96-062 - Amending the Development Order for
Carrollwood Village (Sunstate Builders, Inc.) - (DRI #17)

Dear Mr. Butts:

Attached is a certified copy of referenced resolution, which was
adopted by the Hillsborough County Board of County Commissioners on
March 26, 1996.

We are providing this copy for your files.

Sincerely,



Linda Fryman
Senior Manager, BOCC Records

LF:ADF

Attachment

Certified Mail

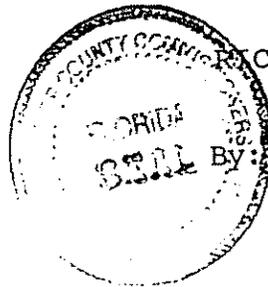
cc: Board files (orig.)

Georgianne Ratliff, Esq., Ratliff & Associates
J. Thomas Beck, Florida Department of Community Affairs
Jeanie E. Hanna, Senior Assistant County Attorney
Gene Boles, Director, Planning and Development Management

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. R96-062 Amending the Development Order for Carrollwood Village (Sunstate Builders, Inc.) - DRI #17, approved by the Board in its regular meeting of March 26, 1996, as the same appears of record in MINUTE BOOK 238 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 23rd day of April, 1996.



RICHARD AKE, CLERK

[Handwritten Signature]
Deputy Clerk

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



Clerk to Board of
County Commissioners
Room # 214-F
P.O. Box 1110
Tampa, Florida 33601
Telephone 272-5845

August 16, 1991

Suzanne Cooper, DRI Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard, Suite 219
St. Petersburg, Florida 33702

Re: Resolution No. R91-0158 - Amendment to Carrollwood Village
(DRI #74-4)

Dear Ms. Cooper:

Attached is a certified executed copy of referenced resolution,
which was adopted by the Hillsborough County Board of County
Commissioners on July 18, 1991.

We are providing this copy for your files.

Sincerely,

RICHARD AKE
CLERK OF CIRCUIT COURT

mailed 8/16/91

By: *Judith M. Nichols*
Judith M. Nichols
Manager, BOCC Records

RECEIVED
AUG 19 1991

JMN:ADF
Attachment
Certified Mail

cc: Board files (1 orig.)
J. Thomas Beck, State of Florida
Department of Community Affairs
Judith James, Esquire,
Molloy, James & Campbell, P.A.
John Dixon Wall, Chief Assistant County Attorney
Gene Boles, Director, Planning and Zoning

Tampa Bay Regional
Planning Council

An Affirmative Action - Equal Opportunity Employer

*DRI #17 - Master
D.O.
Copy*

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of the Circuit Court and
Ex Officio Clerk of the Board of County Commissioners of
Hillsborough County, Florida, do hereby certify that the
above and foregoing is a true and correct copy of _____

Resolution No. R91-0158 - Amendment to Carrollwood Village

(DRI #74-4)

adopted by the Board in its regular meeting of
July 18, 1991, as the same appears of
record in MINUTE BOOK 182 of the Public Records of
Hillsborough County, Florida.

WITNESS my hand and official seal this 16th day
of August, 1991.

RICHARD AKE, CLERK

BY: Judith M. Nichols
Deputy Clerk

RESOLUTION NO. R96-062
A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA AMENDING DRI NO. 74-4

Upon motion by Commissioner Busansky, seconded by Commissioner Wilson, the following resolution was adopted by a 5 to 0 vote:

WHEREAS, on March 15, 1974, the Board of County Commissioners issued Development Order 74-4 for Sunstate Builders, Inc.'s Development of Regional Impact, hereinafter referred to as Carrollwood Village, a copy of said Development Order is attached hereto as Exhibit A and incorporated herein by reference; and,

WHEREAS, said Development Order provided an initial development period of ten (10) years; and,

WHEREAS, said period expired in 1984; and,

WHEREAS, staff of the Hillsborough County Planning and Development Management Department has done an extensive analysis of the entire project and have found that the vast majority of the project has been built out; and,

WHEREAS, staff of the Hillsborough County Planning and Development Management Department has also found that an extension of this Development Order would be appropriate for purposes of allowing completion of development and insuring adequate county control over regulatory decisions made during the process; and,

WHEREAS, Development Order 74-4 contains a provision which allows extension of the Development Order upon a finding of excusable delay,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS THIS 26TH DAY OF MARCH, 1996:

1. The foregoing recitation and findings of fact are hereby incorporated into and made a part of this Resolution.

2. The Board of County Commissioners of Hillsborough County hereby extends the effective period of Development Order 74-4 for a period of 35 months from and after the date of this Resolution based upon a finding of excusable delay. Said extension shall apply only to that 6 acre (MOL) parcel of land governed by Rezoning Petition MM 95-348CW, the legal description for which is attached as Exhibit B.

3. Development of the project shall proceed in strict accordance with the general site plan and shall be subject to conditions contained in Development Order 74-4 and Petition 74-4, as amended (Exhibit C).

4. Nothing contained herein shall be construed to constitute a waiver of applicable land development regulations and to the extent that development of this project requires review, said review shall take place in accordance with all applicable ordinances, codes, and regulations.

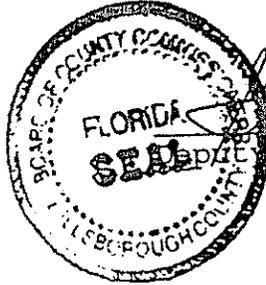
5. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, and the Tampa Bay Regional Planning Council.

6. The Developers Certification, Exhibit D, affirming that copies of the Notice of Change have been delivered to all persons as required by law and that an Application for Development Approval has been previously filed, is attached hereto and incorporate herein by reference.

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk to the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its regular meeting of March 26, 1996, as the same appears of record in Minute Book 238 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 23rd day of April, 1996.



Gary J. Klunk
Clerk / Gary J. Klunk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____

RESOLUTION NO. R91- 0158
A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA AMENDING DRI NO. 74-4

Upon Motion by Commissioner Pam Iorio
seconded by Commissioner Sylvia Kimbell, the
following resolution was adopted by 4 - 0 vote:

WHEREAS, on March 15, 1974, the Board of County Commissioners issued Development Order 74-4 for Sunstate Builders, Inc.'s Development of Regional Impact, hereinafter referred to as Carrollwood Village, a copy of said Development Order is attached hereto as Exhibit A and incorporated herein by reference; and,

WHEREAS, said Development Order provided an initial development period of ten (10) years; and,

WHEREAS, said period expired in 1984; and,

WHEREAS, staff of the Hillsborough County Department of Planning and Zoning has done an extensive analysis of the entire project and have found that significant portions of the project have been built-out; and,

WHEREAS, staff of the Hillsborough County Department of Planning and Zoning has also found that the majority of those portions of the development which have not been built-out have already received detailed site plan approval and in numerous cases have had the installation of certain public improvements on site; and,

WHEREAS, staff of the Hillsborough County Department of Planning and Zoning has concluded that an extension of this Development Order would be appropriate for purposes of allowing completion of development and insuring adequate County control over regulatory decisions made during that process; and,

WHEREAS, Development Order 74-4 contains a provision which allows extension of the Development Order upon a finding of excusable delay.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS THIS 18th DAY OF July, 1991:

1. The foregoing recitation and findings of fact are hereby incorporated into and made a part of this Resolution.

2. The Board of County Commissioners of Hillsborough County hereby extends the effective period of Development Order 74-4 for a period of 30 months from and after the date of this Resolution based upon a finding of excusable delay. Said extension shall apply only to that 1.02 ± acre parcel of land governed by Rezoning Petition RZ 91-0055-N, the legal description for which is attached as Exhibit A.

3. Development of the project shall proceed in strict accordance with the general site plan, as amended and shall be subject to conditions contained in Development Order 74-4 and Petition 74-4, as amended, attached as Exhibits B and C.

4. Nothing contained herein shall be construed to constitute a waiver of applicable land development regulations and to the extent that development of this project requires review, said review shall conform with all applicable ordinances, codes, and regulations.

5. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, and the Tampa Bay Regional Planning Council.

6. The Developers Certification, Exhibit "D", affirming that copies of the Notice of Change have been delivered to all persons as required by law and that an Application for Development Approval has been previously filed, is attached hereto and incorporated herein by reference.

DESCRIPTION

A parcel of land lying in a portion of Section 4, Township 28 South, Range 18 East, HILLSBOROUGH COUNTY, FLORIDA in the Northeast 400 feet of Stoneleigh Commercial, more particularly described as follows:

Commencing at the Northeast corner of Stoneleigh Subdivision, as recorded in Plat Book 49, Page 8, Public Records of Hillsborough County, Florida; thence N 89°10'02" E, 251.32 feet to a Point of Curvature; thence along the arc of a curve to the right, 51.39 feet, said curve having a radius of 35.00 feet and central angle of 84°07'54" chord bearing and distance S 48°46'01" E, 46.90 feet, to a point of the Westerly right-of-way of North Dale Mabry Highway; thence along the arc of a curve to the left on said Westerly right-of-way line, 182.02 feet, said curve having a radius of 5861.58 feet and central angle of 1°46'45", chord bearing and distance S 07°35'27" E, 182.01 feet, to the POINT OF BEGINNING; thence continuing on said Westerly right-of-way along the arc of said curve, 141.58 feet, said curve having the a radius of 5861.58 feet and central angle of 1°23'02", chord bearing and distance S 09°10'21" E, 141.57 feet; thence leaving said Westerly right-of-way line, S 80°00'00" W, 267.78 feet to the Easterly boundary line of said subdivision; thence N 10°00'00" W, 188.01 feet; thence leaving said Easterly boundary line, N 89°46'15" E, 273.80 feet to the POINT OF BEGINNING.

Contains 1.02 acres, more or less.



RESOLUTION

Upon motion by Commissioner Rodriguez, seconded by Commissioner Castor, the following resolution was adopted by four to one vote:

WHEREAS, Sunstate Builders, Inc. has filed with this Board an application for Development Approval of a Development of Regional Impact (Hillsborough County Building and Zoning Department Petition No. 74-4-DRI) in accordance with Section 380.06(6), Florida Statutes (1972); and,

WHEREAS, this Board has reviewed the application and has found the proposed development to be consistent with local land development regulations to the extent that it should be approved as modified by the conditions provided hereinbelow; and,

WHEREAS, this Board has received and considered the report of the Tampa Bay Regional Planning Council and has found the proposed development to be consistent with the Council's recommendations to the extent that the entire project should be approved including the proposed shopping center east of Dale Mabry Highway since same is not large enough to constitute a separate DRI as recommended by the Council (see Section 22F-2.12, Florida Administrative Code); and,

WHEREAS, this Board has on February 21, 1974 and on March 15, 1974, at the Hillsborough County Courthouse in Tampa, Florida, conducted a public hearing upon the application following the publication and giving of notice required by Section 380.06(7), Florida Statutes (1972) and has heard and considered the testimony taken thereat.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN SPECIAL MEETING ASSEMBLED THIS 15TH DAY OF MARCH, 1974: AS FOLLOWS:

1. That the definitions found in Chapter 380, Florida Statutes (1972) shall control the construction of any so-defined terms appearing in this resolution.

2. That this resolution shall constitute the Development Order of this Board issued in response to the Application for Development Approval of a Development of Regional Impact filed by Sunstate Builders, Inc. (Hillsborough County Building and Zoning Department Petition No. 74-4-DRI).

3. That this Development Order shall be deemed rendered as of the date of this resolution for purposes of computing the thirty-day appeal period provided under Section 380.07(2), Florida Statutes (1972.)

4. That this Development Order shall remain in effect for a period of ten years from and after the date of its rendition, provided that this effective period may be extended by this Board upon a finding of excusable delay in any proposed development activity.

5. That this Development Order shall not encompass any proposed development which constitutes a substantial deviation from the terms of the application or which is not to be commenced until after the expiration of its period of effectiveness and any such proposed development constituting a Development of Regional Impact shall require the filing, review and approval of a separate Application for Development Approval in accordance with Section 380.06(6), Florida Statutes (1972.)

6. That this Board finds that the Application for Development Approval of a Development of Regional Impact of Sunstate Builders, Inc. (Hillsborough County Building and Zoning Department Petition No. 74-4-DRI) should be, and hereby does order it APPROVED subject to the following conditions:

a. The Thoroughfare Plan shall be modified to change the realigned Casey Road running south from Ehrlich Road to the second "T" intersection from a Collector to a four-lane facility and the second "T" intersection shall be modified so as to provide uninterrupted flow of traffic from the upgraded, realigned Casey Road into that intersecting street shown as an Arterial on the original Thoroughfare Plan, making the Collector which runs west from the intersection the stop street;

b. The developer shall fulfill its voluntary commitment to dedicate lands along its western boundary to provide a right of way of up to eighty feet as required by the Board of County Commissioners for widening and improvement of Turner Road and to donate fifty thousand dollars toward the cost of opening and paving Turner Road from Ehrlich Road to Gunn Highway including bridges and other related improvements;

c. The existing County Maintenance Unit #2 shall remain and shall be provided direct access to the Arterial street located immediately north of it;

d. The Master Plan shall be modified to relocate the public junior high school site of ~~the proposed 56,000 sq. ft. educational~~ complex to the northern boundary along Ehrlich Road between Brushy Creek and the realigned Casey Road, where it shall replace all or the major portion of the proposed private school site and a portion of the Patio Home section north of a line from the northern boundary of the golf course along Brushy Creek to the southwest corner of the private school site with the exact final location and size to be subject to the approval of the Board of Public Instruction and the Board of County Commissioners of Hillsborough County.

7. That this Board hereby grants the rezoning requested by the applicant to "C-U" based on the plans submitted and as modified by the conditions stated in paragraph 6 above.

8. That the following are hereby incorporated by reference and made a part of this Development Order:

a. The Application for Development Approval submitted by Sunstate Builders, Inc. on October 31, 1973;

b. Supplement A to the Application for Development Approval submitted by Sunstate Builders, Inc. on December 12, 1973;

c. Exhibit "A" attached hereto which illustrates modifications a,c, and d of the Thoroughfare Plan and Master Plan as set forth in Paragraph 6 above.

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board in its meeting of March 15, 1974, as the same appears of record in Minute Book Z-10 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 14th day of March, 1974.

JAMES F. TAYLOR, JR., CLERK

By: Merle Iris Bishop
Deputy Clerk

Upon Motion by Commissioner Paulk
seconded by Commissioner Colson, the following
resolution was adopted by 5-0 vote:

WHEREAS, on March 15, 1974, the Board of County Commissioners issued Development Order 74-4 for Sunstate Builders, Inc.'s Development of Regional Impact, hereinafter referred to as Carrollwood Village, a copy of said Development Order is attached hereto as Exhibit A and incorporated herein by reference; and,

WHEREAS, said Development Order provided an initial development period of ten (10) years; and,

WHEREAS, said period expired earlier this year; and,

WHEREAS, staff of the Tampa Bay Regional Planning Council and the Hillsborough County Department of Development Coordination have reviewed this matter; and,

WHEREAS, staff of the Hillsborough County Department of Development Coordination have done an extensive analysis of the entire project and have found that significant portions of the project have been built-out; and,

WHEREAS, staff of the Hillsborough County Department of Development Coordination have also found that the majority of those portions of the development which have not been built-out have already received detailed site plan approval and in numerous cases have had the installation of certain public improvements on site; and,

WHEREAS, staff of the Hillsborough County Department of Development Coordination have concluded that an extension of this Development Order would be appropriate for purposes of allowing completion of development and insuring adequate County control over regulatory decisions made during that process; and,

WHEREAS, Development Order 74-4 contains a provision which allows extension of the Development Order upon a finding of excusable delay.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS THIS 20th DAY OF November, 1984:

1. The foregoing recitation and findings of fact are hereby incorporated into and made a part of this Resolution.
2. The Board of County Commissioners of Hillsborough County hereby extends the effective period of Development Order 74-4 for a period of five (5) years from and after the date of this Resolution based upon a finding of excusable delay. This finding is predicated upon the fact that development of this project is proceeding expeditiously with
3. Development of the project shall proceed in strict accordance with the general site plan, as amended and shall be subject to conditions contained in Development Order 74-4 and Petition 74-4, as amended.

4. Nothing contained herein shall be construed to constitute a waiver of applicable land development regulations and to the extent that development of this project requires review, said review shall take place in accordance with all applicable ordinances, codes, and regulations.

5. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, and the Tampa Bay Regional Planning Council.

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

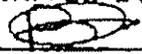
I, JAMES F. TAYLOR, JR. Clerk of the Circuit Court and Ex Officio Clerk to the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board at its regular meeting of November 20, 1984. as the same appears of record in Minute Book 102, of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 4th day of December, 1984.

JAMES F. TAYLOR, JR., CLERK

By: Edna A. Fitzpatrick
Deputy Clerk

APPROVED BY COUNTY ATTORNEY

BY 

Approved As To Form And
Legal Sufficiency. -

AMENDMENT TO CARROLLWOOD VILLAGE
DEVELOPMENT ORDER NO. 74-4, AS AMENDED

Application for Development Approval and Notice of Change.

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I HEREBY CERTIFY that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths and take acknowledgments, personally appeared Judith James as Agent for First Florida Bank, N.A., the Applicant/Owner of a certain portion of Carrollwood Village DRI, to me well known, who being by me first duly sworn, says upon oath as stated below:

1. According to the public records of Hillsborough County, Florida, Sunstate Builders, Inc. filed with Hillsborough County and Application for Development Approval on October 31, 1973, as amended on December 12, 1973, for Carrollwood Village.

2. On behalf of First Florida Bank, N.A., I filed a Notice of Change to the previously approved Development of Regional Impact for Carrollwood Village (74-4, as amended) on April 29, 1991.

3. The aforementioned Notice of Change was filed with Hillsborough County, the State of Florida Department of Community Affairs ("DCA"), the Tampa Bay Regional Planning Council ("TBRPC"), and all persons and agencies required by law.

Judith James
Judith James,
Attorney for
First Florida Bank, N.A.

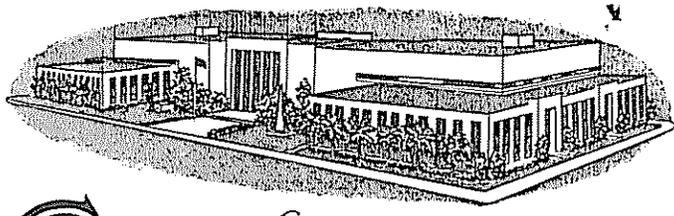
SWORN TO AND SUBSCRIBED before me this 16th day of August 1991.

Robert P. [Signature]
Notary Public
My Commission Expires:
(SEAL)

NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES JUL 14 1992
BONDED THRU AGENT'S NOT BY BROKERAGE

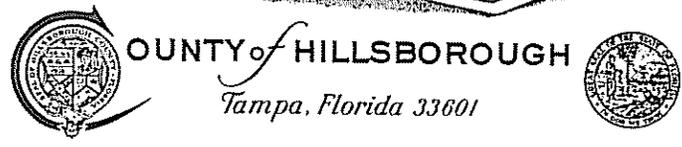
Exhibit D

SB ✓
file -



OFFICE OF
JAMES F. TAYLOR, JR.
CLERK OF CIRCUIT COURT
CLERK OF COUNTY COURT
P. O. BOX 110
TAMPA, FLORIDA 33601
TELEPHONE 223-7811

CLERK BOARD OF COUNTY COMMISSIONERS
COUNTY AUDITOR
COUNTY RECORDER
CUSTODIAN OF COUNTY FUNDS
DEPENDENT'S SUPPORT COLLECTION
TAX DEED SALES



COUNTY OF HILLSBOROUGH
Tampa, Florida 33601

April 2, 1981

IN RESPONSE REFER TO:

Mr. Scott Wilson, Director
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, FL 33702

Dear Mr. Wilson:

Per direction of the Board of County Commissioners of Hillsborough County, we are transmitting herewith certified copy of resolution adopted by the Board on April 1, 1981 which amends Development Order 74-4 pertaining to U. S. Home Corporation.

If you have any questions regarding the resolution, please contact the undersigned.

Sincerely,

JAMES F. TAYLOR, JR., CLERK
BOARD OF COUNTY COMMISSIONERS

By: J. Ed Smith
J. Ed Smith
Chief Deputy Clerk

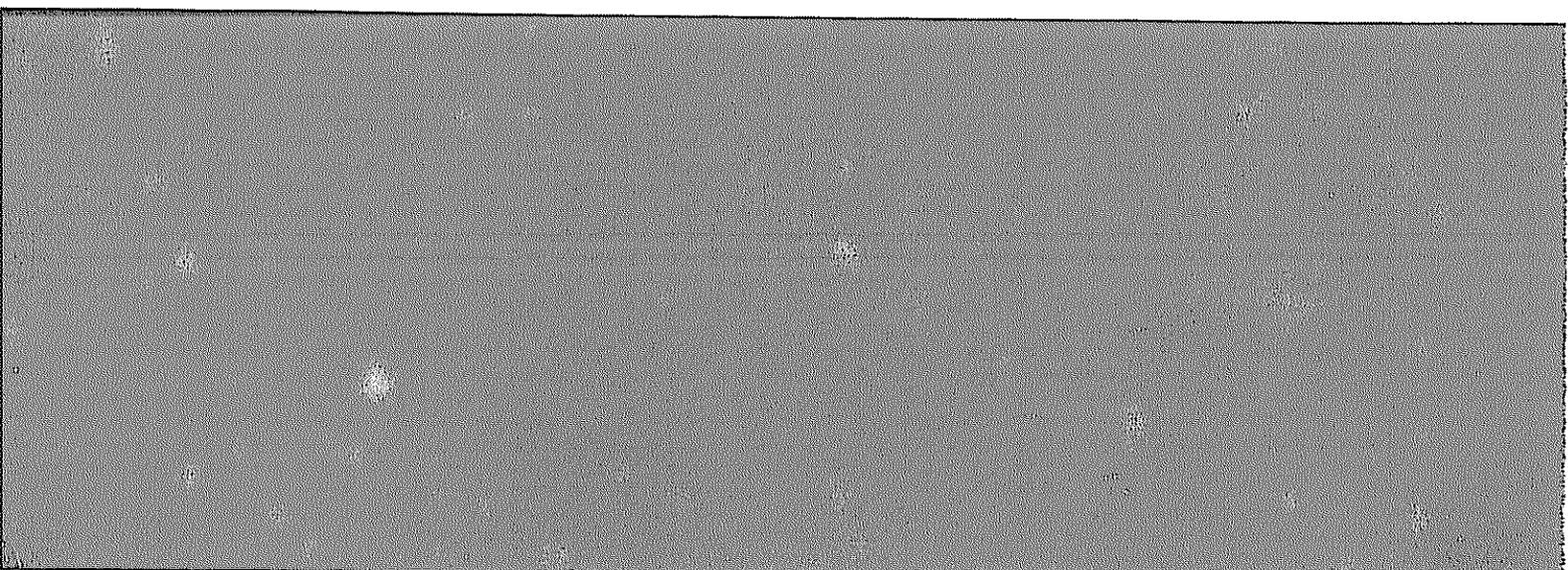
JES:bg

Enclosure

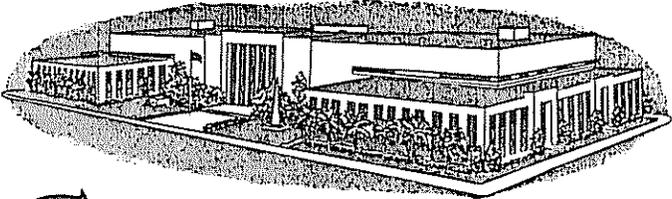
cc: Rick Davis, Assistant County Attorney
Elaine Hirsch, Board Secretary

file D.O.
minutes file
#17

An Affirmative Action - Equal Opportunity Employer

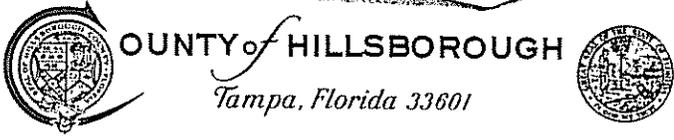


EBL



CLERK BOARD OF COUNTY COMMISSIONERS
COUNTY AUDITOR
COUNTY RECORDER
CUSTODIAN OF COUNTY FUNDS
DEPENDENT'S SUPPORT COLLECTION
TAX DEED SALES

OFFICE OF
JAMES F. TAYLOR, JR.
CLERK OF CIRCUIT COURT
CLERK OF COUNTY COURT
P. O. BOX 1110
TAMPA, FLORIDA 33601
TELEPHONE 223-7811



IN RESPONSE REFER TO:

April 7, 1981

CERTIFIED MAIL

Tampa Regional Planning Council
9455 Koger Boulevard
St. Petersburg, Florida

Attn: Scott Wilson

Re: Resolution - Amendment to Development Order 74-4/Turner Road
H.C. Document No. 81-287

Dear Mr. Wilson:

Enclosed is an executed copy of the subject Resolution, with Exhibits, which we are returning for your official files. This Resolution was approved by the Hillsborough County Board of County Commissioners on April 1, 1981.

Sincerely,

JAMES F. TAYLOR, JR., CLERK
BOARD OF COUNTY COMMISSIONERS

By: James S. Austin
James S. Austin
Administrative Assistant

JSA/lt

cc: Board files (original)
Richard Davis, Assistant County Attorney
Grant Tolbert, Zoning Administrator
U.S. Homes Corporation
State of Florida Land & Water Management

Enclosure

0 Number File #117

An Affirmative Action - Equal Opportunity Employer

RESOLUTION

Upon motion by Commissioner Bowmer, seconded by Commissioner Kotvas, the following Resolution was adopted by a unanimous vote:

WHEREAS, on March 15, 1974, the Board of County Commissioners of Hillsborough County, Florida, approved Development Order 74-4, for Sunstate Builders, Inc.; and,

WHEREAS, U.S. Home Corporation, a successor in interest to Sunstate Builders, Inc., has by correspondence requested the Board of County Commissioners of Hillsborough County to approve an amendment to Development Order 74-4 to permit dedication of specific right-of-way to Hillsborough County and construction of specific road improvements within said right-of-way (said correspondence is attached hereto as composite exhibit I and by reference incorporated into and made a part of this Resolution); and,

WHEREAS, staff of the Hillsborough County Division of Public Works has reviewed this proposal and find it to be consistent with the policies and objectives as expressed in Development Order 74-4 relative to transportation impacts; and,

WHEREAS, the proposal does not constitute a substantial deviation from the terms of Development Order 74-4 as defined by §380.06, Florida Statutes.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR MEETING ASSEMBLED THIS 1st DAY OF April, 1981, AS FOLLOWS:

Section 1. That Development Order 74-4, sub-paragraph 6 (b), is hereby amended to read:

(b) The U.S. Home Corporation shall:

i. Dedicate lands along its western boundary sufficient to provide eighty (80) feet of right-of-way to Hillsborough County, beginning at the point of intersection of Ehrlich Road and Turner Road and continuing south a distance of 3,246.69 feet; and,

ii. Construct within said right-of-way, in strict accordance with Hillsborough County standards and specifications for roadway construction, a twenty four (24) foot roadway, which roadway shall have a curb and gutter on the west side, a two (2) foot paved shoulder on the east side and an open ditch on the east side. (A typical section of said roadway is attached hereto as exhibit II and by reference incorporated into and made a part of this Resolution).

US·HOME®

Florida Land Development
Central Division/HPH Region
Lago Vista Executive Center • Suite 200
8019 N. Himes Avenue • Tampa, Florida 33614
(813) 935-7444

January 5, 1981

Mr. Bruce Downs
Public Works Administrator
Hillsborough County
P.O. Box 1110
Tampa, Fl 33601

Re: Turner Road

Dear Bruce:

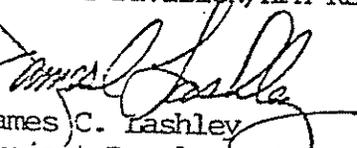
To recap our phone conversation of December 30, 1980, it is my understanding that you intend to take the D.R.I. questions of Turner Road to the Board of County Commissioners on the 14th of January for their approval. The scheduling of this is reliant upon receipt of a legal opinion from Dave Mechanik.

With respect to the review of the submitted engineering drawings, Octavio Cabrera of Cumbey & Fair, Inc. has informed me that you have requested some additional information. I would hope the additional information will not cause extensive delays in that it is the desire of U.S. Home Corporation to begin construction on Turner Road at the earliest possible time.

Your assistance in expediting this project is appreciated. Thank you.

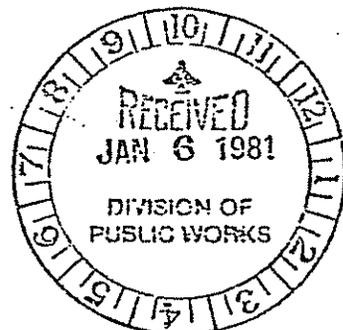
Sincerely,

U.S. HOME CORPORATION
FLORIDA LAND DEVELOPMENT
CENTRAL DIVISION/HPH REGION


James C. Lashley
Project Development Manager

JCL:vp

cc: Dave Mechanik
61-230-210
63-119-210
Chrono.

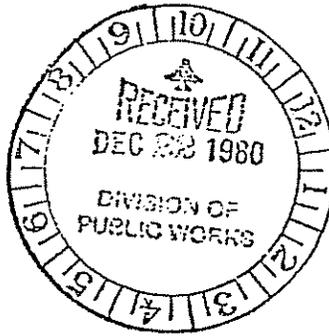


COMPOSITE EXHIBIT "1"

IV-3C

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(813) 935-7444



December 19, 1980

Mr. Bruce Downs
Director-County Development
Hillsborough County
P.O. Box 1110
Tampa, FL 33601

Re: D.R.I. Provisions for Turner Road

Dear Bruce:

Upon the advise of David Mechanik of the County Attorney's Office and in response to the enclosed letter of December 15 from Richard Davis of the same office, I am requesting that you review this matter and place it on the Board of County Commissioners agenda at the earliest convenience.

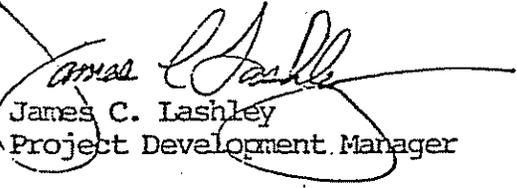
As you are aware U.S. Home is working on improvements to Turner Road which will far exceed the required \$50,000 donation established by the Carrollwood Village D.R.I. As expressed by all parties involved, the proposed improvements which will be in excess of \$150,000, will satisfy the requirement for donation. Mr. Davis feels this "change" must be approved by the Board of County Commissioners.

Your review and recommendation on the proposed change is necessary and will be appreciated.

If you have any further questions concerning this matter, please contact me. Thank you.

Sincerely,

U.S. HOME CORPORATION
FLORIDA LAND DEVELOPMENT
CENTRAL DIVISION/HPH REGION


James C. Lashley
Project Development Manager

JCL:vp
cc: 61-230-210
63-119-210
63-119-D.R.I.
O.Cabrera
Richard Davis

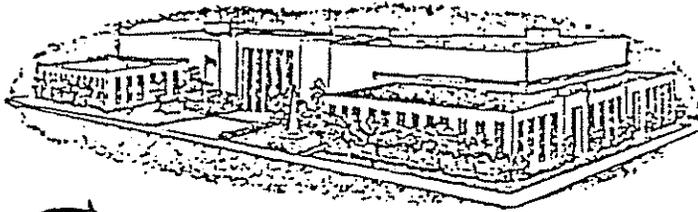
IV-3d

DEC 18 1980

OFFICE OF THE COUNTY ATTORNEY

Post Office Box 1113
Tampa Florida 33601
Telephone (813) 272-5670

J BERT GRANDOFF
COUNTY ATTORNEY



CHIEF ASSISTANT COUNTY ATTORNEY

RONALD G. McCORD

ASSISTANT COUNTY ATTORNEYS

DAVID M. MECHANIK
VINCENT L. NUCCIO, JR.
RICHARD E. DAVIS
R. ELLIOTT DUNN, JR.
MARCIA L. ZIMMERMAN
JEFFREY A. BLAU
CHARLES R. WILSON
SUSAN G. SEXTON



COUNTY OF HILLSBOROUGH

Tampa, Florida 33601



December 15, 1980

Mr. James C. Lashley
Project Development Manager
U.S. Homes
8019 N. Himes Avenue
Suite 200
Tampa, Florida 33614

Re: Carrollwood Village - D.R.I. Provisions for Turner Road

Dear Jim:

I have reviewed this matter with David Mechanik and it is our opinion that regardless of how beneficial the proposal may be, an amendment to the Development Order is required. The reason for this opinion is that while individual staff members may agree that the substitute performance is acceptable, it nevertheless involves a "change" which must be approved by the Board of County Commissioners.

Please be advised, however, that such an amendment is not automatically a lengthy process inasmuch as consideration may be given at any regular Board meeting upon simple written request outlining the proposal. It is only in those circumstances where the Board finds a "substantial deviation" that a full-scale review and an advertised public hearing are required.

If I can be of further assistance in this matter, please feel free to contact my office.

Sincerely,

Richard E. Davis
Assistant County Attorney

RED: dm

An Affirmative Action - Equal Opportunity Employer

IV-32

12/4/80
B. Downs
D.S.
P.R.I.
with the
copy
12/4/80
RB

US·HOME

Florida Land Development
Central Division/HPH Region
Gandhi Vista Executive Center • Suite 200
8019 N. Himes Avenue • Tampa, Florida 33614
(813) 935-7444

November 26, 1980

Mr. Richard E. Davis
Assistant County Attorney
Hillsborough County Attorney's Office
P.O. Box 1110
Tampa, FL 33601

Re: Carrollwood Village - D.R.I. Provisions for Turner Road

Dear Rick:

Pursuant to our brief conversation concerning the Turner Road provision of the Carrollwood Village D.R.I., I am writing to set forth a suggested method of complying with said D.R.I. without unnecessarily subjecting the County Staff, County Commissioners and ourselves to a time-consuming amendment review and process.

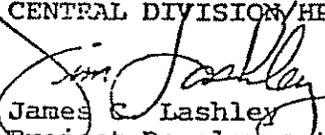
In cooperation with Bruce Downs and the staff of County Development, an acceptable cross-section design has been preliminarily agreed upon and is being prepared for submittal and review. This design satisfies the requirement to "dedicate lands along its (Carrollwood Village) western boundary to provide a right of way of up to eighty feet" set forth in the D.R.I. The further requirement "to donate fifty thousand dollars toward the cost of opening and paving Turner Road" will be met by U.S. Home constructing a segment of Turner Road starting with the intersection of Ehrlich and Turner Roads and running south 3,200 feet. The proposed construction will exceed \$150,000 and should, therefore, satisfy the cash donation aspect of the requirement.

Please review these thoughts with Dave Mechanik as you suggested you would and advise me as to the proper mechanism to satisfy any questions which may arise in the future.

Your prompt attention in this matter will be appreciated. Thank you.

Sincerely,

U.S. HOME CORPORATION
FLORIDA LAND DEVELOPMENT
CENTRAL DIVISION/HPH REGION


James C. Lashley
Project Development Manager

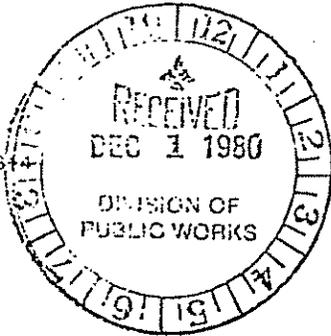
JCL:vp

cc: 61-230-210
63-230-210
63-230-D.R.I
O. Cabrera
Bruce Downs
Chrono.

*B
AEP
see ME
12/3/80*

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Central Division/HPH Region
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8019 N. Himes Avenue • Tampa, Florida 33614
(813) 935-7444



November 26, 1980

Mr. Bruce Downs, Director
County Development
Hillsborough County
P.O. Box 1110
Tampa, FL 33601

Re: Turner Road Construction

Dear Bruce:

In review of our brief meeting of November 25, 1980, at 8:30 a.m., it is my understanding that the "typical section" delineated in the attached drawing with the modification noted is generally acceptable for the construction of Turner Road south of Ehrlich Road.

The drawing was prepared by Octavio Cabrera of Cumbey & Fair, Inc. based on our joint meeting on Friday, November 7, 1980. You will recall several alternatives were proposed and you favored that section contained in the attachment.

Your assistance and advice in this matter has been most helpful and is certainly appreciated.

I am also communicating with Rick Davis and Dave Mechanik, of the County Attorney's Office concerning the need to amend that portion of the Carrollwood Village D.R.I. addressing the development of Turner Road. I will send you a copy of our correspondence. Again, I thank you.

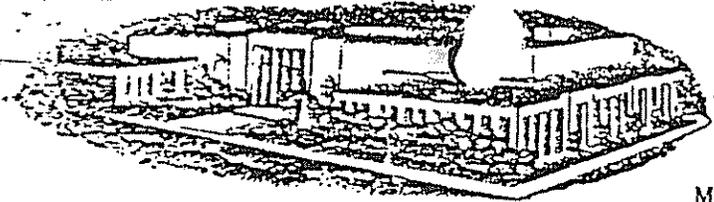
Sincerely,

U.S. HOME CORPORATION
FLORIDA LAND DEVELOPMENT
CENTRAL DIVISION/HPH REGION

James C. Lashley
James C. Lashley
Project Development Manager

JCL:vp
Attachment

cc: 61-230-210
63-230-210
O. Cabrera/with attachm.
Chrono.



SXC
ADD TO
FILE DAVIS

MEMORANDUM

DATE: February 4, 1981

TO: Board of County Commissioners

FROM: County Administrator/ WILLIAM C. TATUM

BY: Originating Department/ DIVISION OF PUBLIC WORKS **B**

SUBJECT: TURNER ROAD; RESOLUTION APPROVED BY BOARD OF COUNTY COMMISSIONERS
MARCH 15, 1974 (PETITION #74-4 D.R.I.) SUNSTATE BUILDERS, INC., CARROLLWOOD
VILLAGE

RECOMMENDATION:

That the Hillsborough County Board of County Commissioners make a "Finding of Fact" that the following Modification and Agreement is not a substantial deviation of REGIONAL IMPACT, and meets the purpose and intent of the Resolution dated March 15, 1974. (Page 2, Section 6.8.)

(PLEASE SEE ITEMS "A" & "B" ON ATTACHED SHEET.)

and that the appropriate officials be authorized to execute same.

BACKGROUND:

RECEIVED

FEB 13 1981

COUNTY ATTORNEY

Several months ago, U. S. Homes representatives approached the Public Works Staff seeking information as to when we proposed to construct Turner Road, from Gunn Highway, CR 597, north to Erlich Road. After being advised that this project was not in our current 5-Year Program, they offered the following alternate proposal. That they (U.S. Homes) would deed 80-feet of right-of-way to Hillsborough County, from Erlich Road south, a distance of 3246.69' (south edge of their property), and construct a 24-foot roadway, C & G westside, 2-foot shoulder eastside within the right-of-way - estimated cost - \$200,000. An additional section of 900-feet + is to be constructed by Carlton Properties, Inc.

(CONTINUED ON ATTACHED SHEET)

Bridge & Approaches Design: Cost: <u>\$35,000</u> <input type="checkbox"/> Capital budget <input type="checkbox"/> Operating budget <input type="checkbox"/> Other _____ Code: _____	<input type="checkbox"/> Affected parties notified of meeting. <input type="checkbox"/> Not required	<input type="checkbox"/> Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not required	<input checked="" type="checkbox"/> Attachments: <u>LETTER(S)</u> <u>TYPICAL SECTION COPY OF RESOLUTION 3/15/74, EXHIBIT</u> <input type="checkbox"/> None "A" <u>CARROLLWOOD VILLAGE</u>
---	---	--	---

Commission Disposition: _____

Follow-up Action: _____

MEETING DATE: FEBRUARY 11, 1981

AGENDA CODE: _____

IV-36

PAGE 2 (RECOMMENDATION CONTINUED):

- A. Authorize the drafting of a Resolution modifying Section 6, b, of the existing Resolution approved March 15, 1974. Development Order D.R.I. #74-4

- B. Authorize the Division of Public Works to seek consultant services to design a bridge and approaches over Brushy Creek, connecting Turner Road to Lynn Road. This would provide a connection from Gunn Highway, CR 3 597, to Erlich Road.

(BACKGROUND CONTINUED FROM PAGE 1)

In exchange for Hillsborough County relieving U. S. Homes of their previous \$50,000 contribution under Section 6-b of the Resolution approved March 15, 1974, Staff recommends approval and feel that this is in the best interest of the Board of County Commissioners and the citizens of Hillsborough County.

IV-34

RESOLUTION

Upon motion by Commissioner Rodriguez, seconded by Commissioner Castor, the following resolution was adopted by four to one vote:

WHEREAS, Sunstate Builders, Inc. has filed with this Board an application for Development Approval of a Development of Regional Impact (Hillsborough County Building and Zoning Department Petition No. 74-4-DRI) in accordance with Section 380.06(6), Florida Statutes (1972); and,

WHEREAS, this Board has reviewed the application and has found the proposed development to be consistent with local land development regulations to the extent that it should be approved as modified by the conditions provided hereinbelow; and,

WHEREAS, this Board has received and considered the report of the Tampa Bay Regional Planning Council and has found the proposed development to be consistent with the Council's recommendations to the extent that the entire project should be approved including the proposed shopping center east of Dale Mabry Highway since same is not large enough to constitute a separate DRI as recommended by the Council (see Section 22F-2.12, Florida Administrative Code); and,

WHEREAS, this Board has on February 21, 1974 and on March 15, 1974, at the Hillsborough County Courthouse in Tampa, Florida, conducted a public hearing upon the application following the publication and giving of notice required by Section 380.06(7), Florida Statutes (1972) and has heard and considered the testimony taken thereat.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN SPECIAL MEETING ASSEMBLED THIS 15TH DAY OF MARCH, 1974: AS FOLLOWS:

1. That the definitions found in Chapter 380, Florida Statutes (1972) shall control the construction of any so-defined terms appearing in this resolution.

2. That this resolution shall constitute the Development Order of this Board issued in response to the Application for Development Approval of a Development of Regional Impact filed by Sunstate Builders, Inc. (Hillsborough County Building and Zoning Department Petition No. 74-4-DRI).

3. That this Development Order shall be deemed rendered as of the date of this resolution for purposes of computing the thirty-day appeal period provided under Section 380.07(2), Florida Statutes (1972.)

4. That this Development Order shall remain in effect for a period of ten years from and after the date of its rendition, provided that this effective period may be extended by this Board upon a finding of excusable delay in any proposed development activity.

IV-3k

5. That this Development Order shall not compass any proposed development which constitutes a substantial deviation from the terms of the application or which is not to be commenced until after the expiration of its period of effectiveness and any such proposed development constituting a Development of Regional Impact shall require the filing, review and approval of a separate Application for Development Approval in accordance with Section 380.06(6), Florida Statutes (1972.)

6. That this Board finds that the Application for Development Approval of a Development of Regional Impact of Sunstate Builders, Inc. (Hillsborough County Building and Zoning Department Petition No. 74-4-DRI) should be, and hereby does order it APPROVED subject to the following conditions:

a. The Thoroughfare Plan shall be modified to change the realigned Casey Road running south from Ehrlich Road to the second "T" intersection from a Collector to a four-lane facility and the second "T" intersection shall be modified so as to provide uninterrupted flow of traffic from the upgraded, realigned Casey Road into that intersecting street shown as an Arterial on the original Thoroughfare Plan, making the Collector which runs west from the intersection the stop street;

b. The developer shall fulfill its voluntary commitment to dedicate lands along its western boundary to provide a right of way of up to eighty feet as required by the Board of County Commissioners for widening and improvement of Turner Road and to donate fifty thousand dollars toward the cost of opening and paving Turner Road from Ehrlich Road to Gunn Highway including bridges and other related improvements;

c. The existing County Maintenance Unit #2 shall remain and shall be provided direct access to the Arterial street located immediately north of it;

d. The Master Plan shall be modified to relocate the public junior high school site of 25 to 30 acres from the proposed 56 acre educational complex to the northern boundary along Ehrlich Road between Brushy Creek and the realigned Casey Road, where it shall replace all or the major portion of the proposed private school site and a portion of the Patio Home section north of a line from the northern boundary of the golf course along Brushy Creek to the southwest corner of the private school site with the exact final location and size to be subject to the approval of the Board of Public Instruction and the Board of County Commissioners of Hillsborough County.

7. That this Board hereby grants the rezoning requested by the applicant to "C-U" based on the plans submitted and as modified by the conditions stated in paragraph 6 above.

8. That the following are hereby incorporated by reference and made a part of this Development Order:

a. The Application for Development Approval submitted by Sunstate Builders, Inc. on October 31, 1973;

b. Supplement A to the Application for Development Approval submitted by Sunstate Builders, Inc. on December 12, 1973;

c. Exhibit "A" attached hereto which illustrates modifications a, c, and d of the Thoroughfare Plan and Master Plan as set forth in Paragraph 6 above.

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board in its meeting of March 15, 1974, as the same appears of record in Minute Book Z-10 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 19th day of March, 1974.

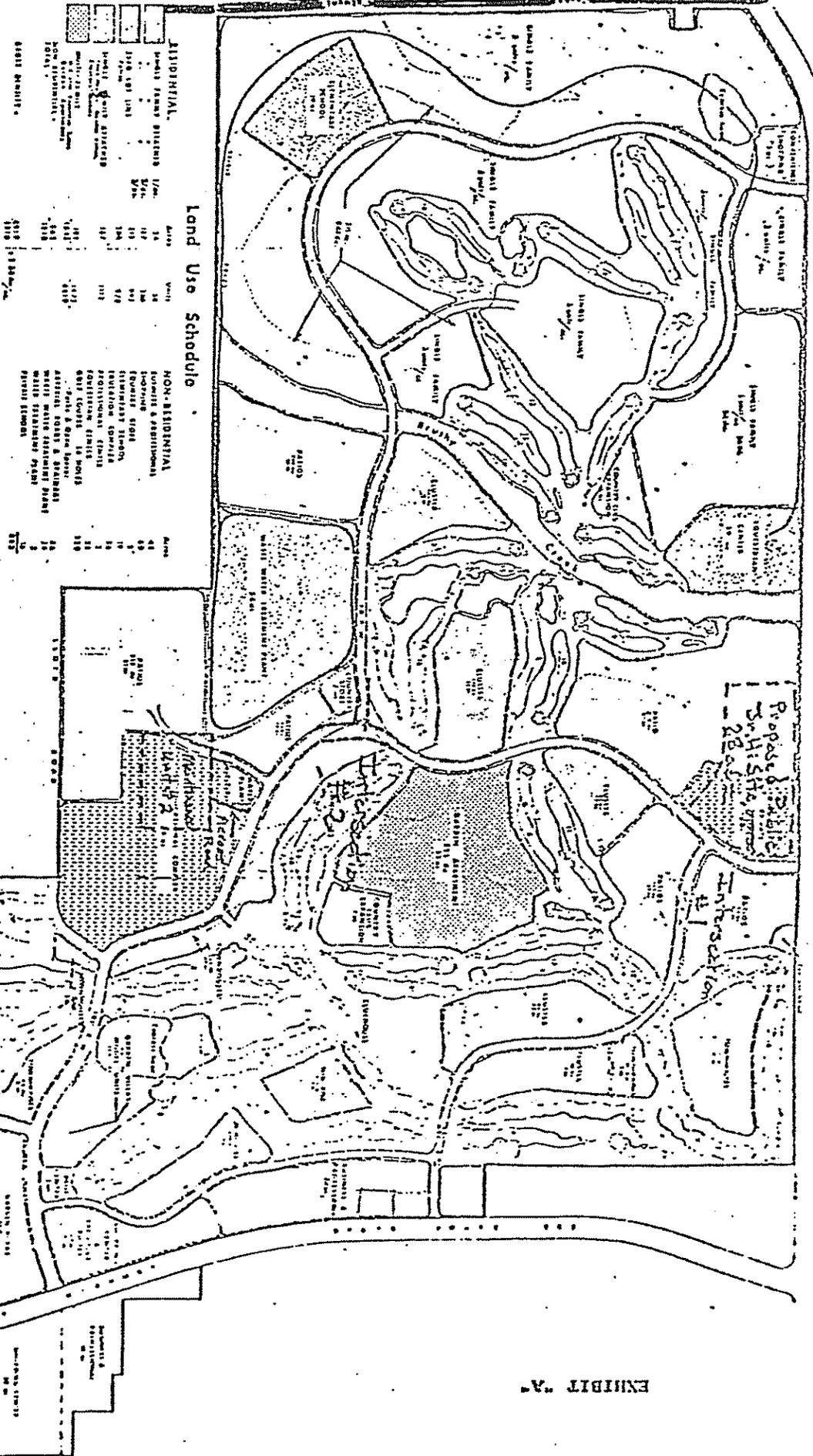
JAMES F. TAYLOR, JR., CLERK

By: Merle Iris Bishop
Deputy Clerk

IV 3 PM

CARROLLWOOD
MEADOWS
U.S. HOMES

CREEK SIDE
CARROLLWOOD PROPERTIES
INC.



Land Use Schedule

Lot Type	Area (Acres)	Notes
Small Estate (1/2 Acre)	120	1/2 Acre
Small Estate (1/4 Acre)	120	1/4 Acre
Small Estate (1/8 Acre)	120	1/8 Acre
Small Estate (1/16 Acre)	120	1/16 Acre
Small Estate (1/32 Acre)	120	1/32 Acre
Small Estate (1/64 Acre)	120	1/64 Acre
Small Estate (1/128 Acre)	120	1/128 Acre
Small Estate (1/256 Acre)	120	1/256 Acre
Small Estate (1/512 Acre)	120	1/512 Acre
Small Estate (1/1024 Acre)	120	1/1024 Acre
Small Estate (1/2048 Acre)	120	1/2048 Acre
Small Estate (1/4096 Acre)	120	1/4096 Acre
Small Estate (1/8192 Acre)	120	1/8192 Acre
Small Estate (1/16384 Acre)	120	1/16384 Acre
Small Estate (1/32768 Acre)	120	1/32768 Acre
Small Estate (1/65536 Acre)	120	1/65536 Acre
Small Estate (1/131072 Acre)	120	1/131072 Acre
Small Estate (1/262144 Acre)	120	1/262144 Acre
Small Estate (1/524288 Acre)	120	1/524288 Acre
Small Estate (1/1048576 Acre)	120	1/1048576 Acre
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Small Estate (1/4194304 Acre)	120	1/4194304 Acre
Small Estate (1/8388608 Acre)	120	1/8388608 Acre
Small Estate (1/16777216 Acre)	120	1/16777216 Acre
Small Estate (1/33554432 Acre)	120	1/33554432 Acre
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RESOLUTION

Upon motion by Commissioner Bowmer, seconded by Commissioner Kotvas, the following Resolution was adopted by a 3 - 0 vote:

WHEREAS, on March 15, 1974, the Board of County Commissioners of Hillsborough County, Florida, approved Development Order 74-4, for Sunstate Builders, Inc.; and,

WHEREAS, U.S. Home Corporation, a successor in interest to Sunstate Builders, Inc., has by correspondence requested the Board of County Commissioners of Hillsborough County to approve an amendment to Development Order 74-4 to permit dedication of specific right-of-way to Hillsborough County and construction of specific road improvements within said right-of-way (said correspondence is attached hereto as composite exhibit I and by reference incorporated into and made a part of this Resolution); and,

WHEREAS, staff of the Hillsborough County Division of Public Works has reviewed this proposal and find it to be consistent with the policies and objectives as expressed in Development Order 74-4 relative to transportation impacts; and,

WHEREAS, the proposal does not constitute a substantial deviation from the terms of Development Order 74-4 as defined by §380.06, Florida Statutes.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR MEETING ASSEMBLED THIS 1st DAY OF April, 1981, AS FOLLOWS:

Section 1. That Development Order 74-4, sub-paragraph 6 (b), is hereby amended to read:

(b) The U.S. Home Corporation shall:

i. Dedicate lands along its western boundary sufficient to provide eighty (80) feet of right-of-way to Hillsborough County, beginning at the point of intersection of Ehrlich Road and Turner Road and continuing south a distance of 3,246.69 feet; and,

ii. Construct within said right-of-way, in strict accordance with Hillsborough County standards and specifications for roadway construction, a twenty four (24) foot roadway, which roadway shall have a curb and gutter on the west side, a two (2) foot paved shoulder on the east side and an open ditch on the east side. (A typical section of said roadway is attached hereto as exhibit II and by reference incorporated into and made a part of this Resolution).

Section 2. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and U.S. Home Corporation.

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board at its regular meeting of April 1, 1981, as the same appears of record in Minute Book 78 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 1st day of April, 1981.

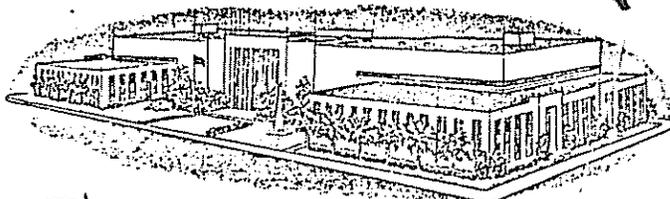
JAMES F. TAYLOR, JR., CLERK

By: J. Ed Smith
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
HILLSBOROUGH COUNTY, FLORIDA
DOCUMENT No. 81-287

~~APPROVED BY COUNTY ATTORNEY~~
BY [Signature]
Approved As To Form And
Legal Sufficiency.

OFFICE OF THE COUNTY ATTORNEY
Post Office Box 1110
Tampa, Florida 33601
Telephone (813) 272-5670
272-5671



COUNSEL FOR:
Board of County Commissioners
All Elected County,
Judicial and Executive Offices

John W. McWhirter, Jr.
Consultant Attorney
John D. Dammi
Consultant Attorney
Rudy G. LaRossa
Consultant Attorney
Roland Gonzalez
Consultant Attorney



COUNTY OF HILLSBOROUGH
Tampa, Florida 33601



April 15, 1976

RECEIVED

APR 19 1976

BUREAU OF LAND PLANNING

Call Tim Powell about this

Mr. Gil Bachenstoss
Bureau of Land and Water Management
Division of State Planning
660 Apalachee Parkway
Tallahassee, Florida 32304

Dear Mr. Bachenstoss:

Enclosed is a copy of a Resolution of the Board of County Commissioners adopted April 5, 1976, which rezones a portion of the Carrollwood Village Development of Regional Impact from C-U to R-1 and amends the Development Order dated March 19, 1974, to reflect this change.

This Order is being transmitted to you pursuant to our conversation of March 22, 1976, and in accordance with Florida Statute 380.07.

Thank you for your cooperation.

Very truly yours,

Maxwell Williams
Maxwell Williams
Assistant County Attorney

MW/yg

Enclosure

cc: Myron Gibbons
Ed Boulding
Tim Powell
Gary Price

RECEIVED

APR 26 1976

BUREAU OF LAND PLANNING

DR # 17

RESOLUTION

Upon motion by Commissioner *Curry*, seconded by Commissioner *Lester*, the following Resolution was unanimously adopted:

WHEREAS Ed Boulding Construction Company has filed the following:

1. A petition to change the classification of lands defined by the Hillsborough County Zoning Regulations as C-U to R-1.
2. A petition to amend Development Order of the Board of County Commissioners dated March 19, 1974, approving application for Development Approval of a Development of Regional Impact filed by Sunstate Builders, Inc. in accordance with Florida Statute 380.06. This amendment is necessary because petitioner's rezoning petition is part of said Development of Regional Impact; and,

WHEREAS this Board has reviewed the above petitions and found them to be consistent with applicable local and state laws and regulations regarding land development; and,

WHEREAS the petition for amendment to the Development Order dated March 19, 1974, does not constitute a substantial deviation from the terms of the Development Order; and,

WHEREAS a public hearing was held by the Board of County Commissioners on April 5, 1976, pursuant to Chapter 29131, Laws of Florida, Special Acts of 1953, and the Hillsborough County Zoning Regulations, at which time testimony was taken and received regarding the foregoing petitions and after having considered all of the above, it is

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, ASSEMBLED THIS 5TH DAY OF APRIL, 1976:

1. That the following described real property located in Hillsborough County, Florida, is hereby rezoned from C-U to R-1 as defined in the Hillsborough County Zoning Regulations.

The South 1/2 of the NE 1/4 of the NE 1/4, less the East 590.45 feet thereof together with the NW 1/4 of the NE 1/4 of Section 8 Township 28 South Range 18 East, Hillsborough County, Florida, less road right-of-way containing 51.41 acres more or less.

2. Paragraph 7 of the Development Order dated March 19, 1974, is amended to read as follows:

"That this Board hereby grants the rezoning requested by the applicant to C-U and R-1 based on the plans submitted and as modified by the conditions stated in Paragraph 6 above."

RECEIVED

APR 26 1976

BUREAU (

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board in its meeting of April 5, 1976, as the same appears of record in Minute Book 2-15 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 22nd day of April, 1976.

JAMES F. TAYLOR, JR., CLERK

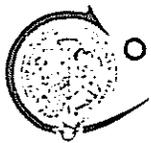
By: Marilyn Iris Bishop
Deputy Clerk

OFFICE OF THE COUNTY ATTORNEY

WOODIE A. LILES
COUNTY ATTORNEY
MICHAEL J. O'BRIEN
RESIDENT COUNTY ATTORNEY
JOHN W. McWHIRTER, JR.
ASSISTANT COUNTY ATTORNEY
ROBERT H. MACKENZIE
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RUDY G. LA RUSSA
ASSISTANT COUNTY ATTORNEY
ROLAND GONZALEZ
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STEVEN L. SPARKMAN
ASSISTANT RESIDENT ATTORNEY
JOHN W. BAKAS, JR.
ASSISTANT RESIDENT ATTORNEY



CAP
COUNSEL FOR
BOARD OF COUNTY COMMISSIONERS
ALL ELECTED COUNTY
JUDICIAL AND EXECUTIVE OFFICERS
TELEPHONE: 813 223-1311



COUNTY OF HILLSBOROUGH



P.O. BOX 1110
TAMPA, FLORIDA 33601

March 19, 1974

RECEIVED
MAR 20 1974
TAMPA BAY REGIONAL
PLANNING COUNCIL

State of Florida
Department of Administration
Division of State Planning
660 Apalachee Parkway
Tallahassee, Florida 32304

Gentlemen:

Enclosed herewith is a copy of a Resolution of the Board of County Commissioners of Hillsborough County, adopted March 15, 1974. This resolution constitutes the Board's Development Order in response to the Application for Development Approval of a Development of Regional Impact submitted by Sunstate Builders, Inc., for Carrollwood Village.

This order is being transmitted to you as required by Section 380.07(2), Florida Statutes (1972).

Very truly yours,
WOODIE A. LILES, COUNTY ATTORNEY

By: Steven L. Sparkman
Steven L. Sparkman,
Assistant County Attorney

SLS:dvs

cc: Tampa Bay Regional Planning Council
3151 Third Avenue North - Suite 540
St. Petersburg, Florida 33713

RESOLUTION

Development Order
Carrollwood Village
DRI #17

Upon motion by Commissioner Rodriguez, seconded by Commissioner Castor, the following resolution was adopted by four to one vote:

WHEREAS, Sunstate Builders, Inc. has filed with this Board an application for Development Approval of a Development of Regional Impact (Hillsborough County Building and Zoning Department Petition No. 74-4-DRI) in accordance with Section 380.06(6), Florida Statutes (1972); and,

WHEREAS, this Board has reviewed the application and has found the proposed development to be consistent with local land development regulations to the extent that it should be approved as modified by the conditions provided hereinbelow; and,

WHEREAS, this Board has received and considered the report of the Tampa Bay Regional Planning Council and has found the proposed development to be consistent with the Council's recommendations to the extent that the entire project should be approved including the proposed shopping center east of Dale Mabry Highway since same is not large enough to constitute a separate DRI as recommended by the Council (see Section 22F-2.12, Florida Administrative Code); and,

WHEREAS, this Board has on February 21, 1974 and on March 15, 1974, at the Hillsborough County Courthouse in Tampa, Florida, conducted a public hearing upon the application following the publication and giving of notice required by Section 380.06(7), Florida Statutes (1972) and has heard and considered the testimony taken thereat.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN SPECIAL MEETING ASSEMBLED THIS 15TH DAY OF MARCH, 1974: AS FOLLOWS:

1. That the definitions found in Chapter 380, Florida Statutes (1972) shall control the construction of any so-defined terms appearing in this resolution.

2. That this resolution shall constitute the Development Order of this Board issued in response to the Application for Development Approval of a Development of Regional Impact filed by Sunstate Builders, Inc. (Hillsborough County Building and Zoning Department Petition No. 74-4-DRI).

3. That this Development Order shall be deemed rendered as of the date of this resolution for purposes of computing the thirty-day appeal period provided under Section 380.07(2), Florida Statutes (1972.)

4. That this Development Order shall remain in effect for a period of ten years from and after the date of its rendition, provided that this effective period may be extended by this Board upon a finding of excusable delay in any proposed development activity.

#17

5. That this Development Order shall not encompass any proposed development which constitutes a substantial deviation from the terms of the application or which is not to be commenced until after the expiration of its period of effectiveness and any such proposed development constituting a Development of Regional Impact shall require the filing, review and approval of a separate Application for Development Approval in accordance with Section 380.06(6), Florida Statutes (1972.)

6. That this Board finds that the Application for Development Approval of a Development of Regional Impact of Sunstate Builders, Inc. (Hillsborough County Building and Zoning Department Petition No. 74-4-DRI) should be, and hereby does order it APPROVED subject to the following conditions:

a. The Thoroughfare Plan shall be modified to change the realigned Casey Road running south from Ehrlich Road to the second "T" intersection from a Collector to a four-lane facility and the second "T" intersection shall be modified so as to provide uninterrupted flow of traffic from the upgraded, realigned Casey Road into that intersecting street shown as an Arterial on the original Thoroughfare Plan, making the Collector which runs west from the intersection the stop street;

b. The developer shall fulfill its voluntary commitment to dedicate lands along its western boundary to provide a right of way of up to eighty feet as required by the Board of County Commissioners for widening and improvement of Turner Road and to donate fifty thousand dollars toward the cost of opening and paving Turner Road from Ehrlich Road to Gunn Highway including bridges and other related improvements;

c. The existing County Maintenance Unit #2 shall remain and shall be provided direct access to the Arterial street located immediately north of it;

d. The Master Plan shall be modified to relocate the public junior high school site of 25 to 30 acres from the proposed 56 acre educational complex to the northern boundary along Ehrlich Road between Brushy Creek and the realigned Casey Road, where it shall replace all or the major portion of the proposed private school site and a portion of the Patio Home section north of a line from the northern boundary of the golf course along Brushy Creek to the southwest corner of the private school site with the exact final location and size to be subject to the approval of the Board of Public Instruction and the Board of County Commissioners of Hillsborough County.

7. That this Board hereby grants the rezoning requested by the applicant to "C-U" based on the plans submitted and as modified by the conditions stated in paragraph 6 above.

8. That the following are hereby incorporated by reference and made a part of this Development Order:

a. The Application for Development Approval submitted by Sunstate Builders, Inc. on October 31, 1973;

b. Supplement A to the Application for Development Approval submitted by Sunstate Builders, Inc. on December 12, 1973;

c. Exhibit "A" attached hereto which illustrates modifications a, c, and d of the Thoroughfare Plan and Master Plan as set forth in Paragraph 6 above.

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board in its meeting of March 15, 1974, as the same appears of record in Minute Book Z-10 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 19th day of March, 1974.

JAMES F. TAYLOR, JR., CLERK

By: Merle Iris Bishop
Deputy Clerk

