



PASCO COUNTY, FLORIDA

DADE CITY (904) 521-4274
NEW PORT RICHEY (813) 847-8132

PLANNING AND ZONING DEPARTMENT
PASCO COUNTY GOVERNMENT CENTER
7530 LITTLE ROAD
NEW PORT RICHEY, FL 34654

October 17, 1988

Ms. Suzanne Cooper, DRI Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, FL 33702

RE: Trout Creek DRI, Substantial Deviation Determination

Dear Ms. Cooper:

The purpose of this letter is to inform your agency that the Pasco County Board of County Commissioners held a public hearing to determine if a proposed change to the Trout Creek Development of Regional Impact Development Order constitutes a substantial deviation. The Board met on October 25, 1988, and determined the proposed change not to be a substantial deviation to the Development Order.

A copy of the resolution amending the Development Order is attached along with the Notice of Adoption.

Please do not hesitate to call me if there are any questions or you need more information.

Sincerely,

Elizabeth A. Eginton
Elizabeth A. Eginton
Senior Planner

EAE/TBV/s101703:wp

Attachments

cc: William G. Munz, Deputy Assistant County Administrator
Samuel P. Steffey, II, Planning Director

*Council
Appealed -
went to 3rd review*

Master File

7. At the public hearing, all parties were afforded the opportunity to present evidence and argument on all issues, conduct cross-examination, and submit rebuttal evidence.
8. Additionally, at said public hearing, any member of the general public requesting to do so was given the opportunity to present written or oral communications.
9. The Board of County Commissioners has received and considered the recommendation of the Pasco County Planning Department.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County in regular session duly assembled that:

1. The above-referenced proposed change to the Trout Creek Development of Regional Impact does not constitute a substantial deviation and, therefore, does not require further Development of Regional Impact review pursuant to Chapter 380.06(19), Florida Statutes, as amended.
2. The proposed change to the Trout Creek Development of Regional Impact is approved and the Development Order is hereby amended incorporating the following changes.
 - a. The Trout Creek Development Order shall expire on December 31, 2003.
 - b. The development shall henceforth be known as and named Trout Creek.
 - c. All Development Order Conditions of Approval as adopted by the Board of County Commissioners on October 9, 1973, or as subsequently amended, shall be in full force and effect.
 - d. All conditions of the MPUD zoning (#1505) as amended are hereby incorporated into this Development Order.
 - (1) Condition #15 has been modified by this approval to aggregate the original private and public parkland dedication for the purposes of forming a public regional park facilities. As originally provided, a \$50.00 per unit park service fee is required. Said fees shall be provided at the time of record plat or, where no plat is required, at the time of building permit.
 - e. Within 60 days of adoption of this amendment, prior to any further preliminary/site plan approval, a revised Master Development Plan shall be submitted to the Planning Department for review and to the Development Review Committee for approval. An extension may be granted upon the showing of good cause by the developer.

f. Phasing Schedule

Development of Trout Creek shall proceed in accordance with the following proposed phasing schedule:

	<u>Single-Family Units</u>	<u>Multifamily Units</u>	<u>Commercial</u>
Phase I - 1995	1,844 (including 233 existing units)	-0-	55 Acres
Phase II - 2003*	1,371	1,245	6.5 Acres
Total	3,255	1,245	61.5 Acres

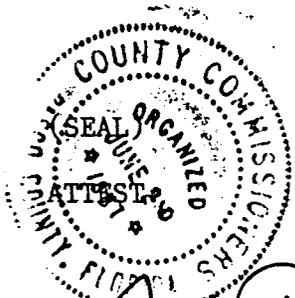
	<u>Park</u>	<u>School</u>	<u>Church</u>
Phase I - 1995	45 Acres	15** Acres	3 Acres
Phase II - 2003	-0-	-0-	-0-
Total	45 Acres	15 Acres	3 Acres

* December 31, 1988, is the project buildout date

** School site will be donated to Pasco County upon request of the School Board. This may not occur during Phase I.

g. Development shall not create additional adverse impacts beyond that which was predicted in the Application for Development Approval (ADA), unless, prior to issuance of construction permits, mitigation is being implemented or is programmed pursuant to Florida Department of Community Affairs and Tampa Bay Regional Planning Council policies and regulations.

DONE AND RESOLVED THIS 11th DAY OF October, 1988.



BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

BY: Jed Pittman
JED PITTMAN, CLERK

BY: Sylvia Young
SYLVIA YOUNG, CHAIRMAN

by: Beth L. Vilez, D.C.

APPROVED AS TO LEGAL FORM AND CONTENT
Office of the County Attorney

BY: Ben Hamill
Attorney

STATE OF FLORIDA
COUNTY OF PASCO

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL OF RECORD IN MY OFFICE. WITNESS MY HAND AND THE COUNTY'S OFFICIAL SEAL THIS 12th of Oct, 1988
JED PITTMAN, CLERK TO THE BOARD

BY: Beth L. Vilez D.C.

NOTICE OF ADOPTION OF DEVELOPMENT ORDER

TROUT CREEK DRI

Pursuant to Section 380.06(14)(d), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners, by Resolution No. 89-10, dated October 11, 1988, has adopted an amendment to a Development Order for the Development of Regional Impact known as Trout Creek (f/k/a Deerfield Village and Williamsburg West). A legal description of the property covered and the Development Order may be examined upon request at the Office of the Clerk to the Board of County Commissioners of Pasco County, Pasco County Courthouse, Dade City, Florida.

The above referenced Development Order constitutes a land development regulation applicable to the property described in Exhibit "A."

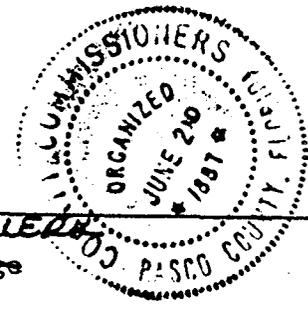
The recording of this Notice shall not constitute a lien, cloud, or encumbrance on the real property described in Exhibit "A" nor actual nor constructive notice of any of the same under the authority of Section 380.06(14)(d), Florida Statutes.

Sylvia Young
SYLVIA YOUNG, Chairman
Board of County Commissioners

State of Florida)
County of Pasco)

The foregoing Notice of Adoption of Development Order was acknowledged before me this 11th day of October, 1988.

Feth L. Velez
~~Notary Public DEPUTY CLERK~~
~~State of Florida at Large~~
~~My Commission Expires~~



APPROVED AS TO LEGAL FORM AND CONTENT
Office of the County Attorney

Attorney

STATE OF FLORIDA
COUNTY OF PASCO

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL OF RECORD IN MY OFFICE. WITNESS MY HAND AND THE COUNTY'S OFFICIAL SEAL THIS 12th of Oct, 1988
JED PITTMAN, CLERK TO THE BOARD

BY *Feth L. Velez* D.C.

All of Sections 31, 32 and 33, Township 26 South, Range 20 East, Pasco County, Florida.

LESS - The Southeast 1/4 of the Southeast 1/4 of said Section 33.

LESS - The Southwest 1/4 of the Southeast 1/4 of said Section 33.

LESS - The triangular Southwest 1/2 of the South 1/2 of the Northwest 1/4 of the Southeast 1/4 of said Section 33.

LESS - The East 1/2 of the Southeast 1/4 of the Southwest 1/4 of said Section 33.

LESS - The triangular Southeast 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of said Section 33.

LESS - TANGLEWOOD VILLAGE - PHASE 1 - AT WILLIAMSBURG WEST according to the map or plat thereof as recorded in Plat Book 20, Page 98 and 99 of the Public Records of Pasco County, Florida.

LESS - TANGLEWOOD VILLAGE - PHASE 2 - AT WILLIAMSBURG WEST according to the map or plat thereof as recorded in Plat Book 20, Page 134, 135 and 136 of the Public Records of Pasco County, Florida.

LESS - The right-of-way for County Road No. 581.

EXHIBIT "A"

STATE OF FLORIDA
LAND AND WATER ADJUDICATORY COMMISSION

SR ✓
SC
file

IN RE: RESOLUTION NO. 89-10
OF PASCO COUNTY, RENDERING AN
AMENDED DEVELOPMENT ORDER
FOR TROUT CREEK A/K/A
DEERFIELD VILLAGE, A
DEVELOPMENT OF REGIONAL
IMPACT (DRI)

JOINT STIPULATION FOR DISMISSAL OF APPEAL

COMES NOW, Tampa Bay Regional Planning Council (TBRPC) and the Florida Department of Community Affairs (Department) by and through their respective undersigned attorneys and file the Joint Motion for Dismissal.

WHEREAS, TBRPC filed a timely appeal of Resolution 89-10, an Amended Development Order rendered by Pasco County for Trout Creek, a Development of Regional Impact; and

WHEREAS, The Department filed a timely Motion to Intervene as a full party in the pending appeal; and

WHEREAS, on January 4, 1989, Pasco County Board of County Commissioners rescinded Resolution No. 89-10 and Resolution No. 89-29, a copy of said Rescinding Resolution 89-69 is attached hereto marked Exhibit "A";

WHEREAS, the Development Order which is the subject of the appeal and intervention is now moot;

NOW THEREFORE Tampa Bay Regional Planning Council and the Florida Department of Community Affairs hereby dismiss the appeal of Resolution 89-10, an Amended Development Order for Trout Creek.

Respectfully submitted,

Linda M. Hallas
LINDA M. HALLAS
Attorney for TBRPC
9455 Koger Blvd., Suite 209
St. Petersburg, Florida 33702
(813) 577-7377

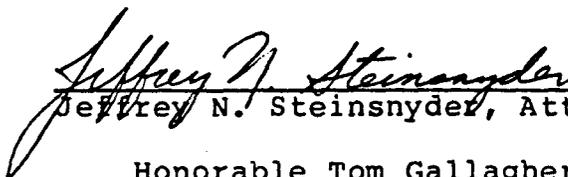
Jeffrey N. Steinsnyder
Jeffrey N. Steinsnyder, Attorney
David L. Jordan, Senior Attorney
C. Laurence Keeseey, General Counsel
Department of Community Affairs
2740 Centerview Drive Suite 138
Tallahassee, Florida 32399-2100
(904) 488-0410

2
motion or
amendment

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the parties listed below by U.S.

Mail this 1st day of February, 1989.


Jeffrey N. Steinsnyder, Attorney

Honorable Bob Martinez
Governor
The Capitol
Tallahassee, FL 32399-0001

Honorable Tom Gallagher
Insurance Commissioner
The Capitol
Tallahassee, FL 32399-0001

Honorable Bob Butterworth
Attorney General
The Capitol
Tallahassee, FL 32399

Honorable Betty Castor
Commissioner of Education
The Capitol
Tallahassee, FL 32399-0001

Honorable Doyle Connor
Commission of Agriculture
The Capitol
Tallahassee, FL 32399

Honorable Jim Smith
Secretary of State
The Capitol
Tallahassee, FL 32399-0001

Honorable Gerald Lewis
Comptroller
The Capitol
Tallahassee, FL 32399

Deborah Hardin-Wagner, Esq.
Assistant General Counsel
Governor's Legal Office
The Capitol, Room 209
Tallahassee, FL 32399-0001

Karla A. Stetter, Esquire
Assistant County Attorney
Pasco County
Pasco County Government
Center
7530 Little Road
New Port Richey, FL 34654

Julia Greene
Executive Director
Tampa Bay Regional
Planning Council
9455 Koger Blvd.
Suite 219
St. Petersburg, FL 33702

James Vaughn, Jr.
Florida Land and Water
Adjudicatory Commission
501 South Gadsden Street
Carlton Bldg., Room 404
Tallahassee, FL 32301

Stuart B. Aronoff
Pasco Properties, Inc.
100 Bush Street
Suite 1700
San Francisco, CA 94104

Keith Brickleyer, Esq.
Honigman, Miller, Schwartz
and Cohn
777 Harbour Island Blvd.
Suite 350
Tampa, FL 33602

Sylvia Young, Chairman
Board of County Commissioners
of Pasco County
705 East Liveoak Avenue
Dade City, FL 33525

RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA RESCINDING RESOLUTION NOS. 89-10 AND 89-29 AMENDING THE CONDITIONS OF DEVELOPMENT APPROVAL FOR THE TROUT CREEK (F/K/A DEERFIELD VILLAGE AND WILLIAMSBURG WEST) DEVELOPMENT OF REGIONAL IMPACT.

WHEREAS, on August 11, 1988, Pasco Properties, Inc., filed an application requesting a nonsubstantial deviation determination pursuant to Section 380.06(19), Florida Statutes, to review proposed changes to the Trout Creek Development of Regional Impact including extension of the buildout date of the project, a decrease in residential acreage, a decrease in commercial acreage, and an increase in open space acreage; and

WHEREAS, on October 11, 1988, the Board of County Commissioners held a public hearing and adopted Resolution Nos. 89-10 and 89-29 amending the Trout Creek Development of Regional Impact Development Order; and

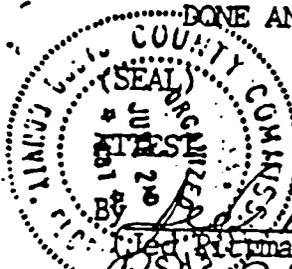
WHEREAS, as a result of recent developments, Pasco Properties, Inc. requested on December 15, 1988 that Resolution Nos. 89-10 and 89-29 be rescinded; and

WHEREAS, the Board of County Commissioners and the Tampa Bay Regional Planning Council also desire to rescind Resolution Nos. 89-10 and 89-29 in order to reevaluate the proposed amendments to the Trout Creek Development of Regional Impact Development Order.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County, Florida in regular session duly assembled, that Resolution Nos. 89-10 and 89-29 amending conditions of development approval for the Trout Creek Development of Regional Impact is hereby rescinded.

BE IT FURTHER RESOLVED that the Planning Staff is hereby authorized to set a new public hearing in order to reevaluate the proposed amendment to the Trout Creek Development of Regional Impact.

DONE AND RESOLVED this 4th day of January, 1989.



BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA

By Allan G. Sarrahek Jr.
Allan G. Sarrahek Jr., Chairman

By Rebecca S. Dank
Rebecca S. Dank, Clerk

APPROVED AS TO LEGAL FORM AND CONTENT
Office of the County Attorney

By [Signature]
Attorney

EXHIBIT A

REGULAR MEETINGS SECOND AND FOURTH TUESDAYS

**BOARD OF
COUNTY COMMISSIONERS
PASCO COUNTY
DADE CITY, FLORIDA
PHONE 904-567-5274**

**WALTER M. VOORHEES CHAIRMAN
DISTRICT NO. 4 RT. 2 BOX 2133 NEW PORT RICHEY, FLORIDA**

LOUIE

DISTRICT NO.

BOX

ZEPHYRHILLS

MATHEW J. PASKY, JR.

DISTRICT NO.

P. O. BOX 655

NEW PORT RICHEY, FLORIDA

PETER M. DUNBAR

ATTORNEY TO THE BOARD

NEW PORT RICHEY, FLORIDA

October 12, 1973

LSV to
BB's

WILLIAM HAMILTON
DISTRICT NO. 1
DADE CITY, FLORIDA
HENRY E. RAUBER, JR.
DISTRICT NO. 2
DADE CITY, FLORIDA
FRANK W. GARDNER
DISTRICT NO. 3
DADE CITY, FLORIDA

MILLER NEWTON
CLERK AND AUDITOR
DADE CITY, FLORIDA

Development Corporation
Lalake Boulevard
Florida 33549
Mr. J. C. Thompson

RE: REEDER DEVELOPMENT CORPORATION, DEVELOPMENT OF REGIONAL
IMPACT REQUIREMENTS.

Dear Mr. Thompson:

This is to advise that at the regular meeting of October 9, 1973,
the Board granted the DRI approval for this development subject to
conditions, which I am enclosing a memo to this effect.

Very truly yours,

Miller Newton

Miller Newton
Clerk to the Board

MN:cap
Encl:

cc:Tampa Bay Regional Planning Council, w/encl:
Bill Wiley, Planning Director, w/encl:✓

RECEIVED

NOV 5 1973

TAMPA BAY REGIONAL
PLANNING COUNCIL

JW
#2

02-73-02

DRI

Pasco County Planning Department

DADE CITY, FLORIDA 33525

(904) 567-5271 EXT. 66

October 9, 1973

MEMORANDUM

TO: THE BOARD OF COUNTY COMMISSIONERS

FROM: BILL WILEY, PLANNING DIRECTOR

RE: REEDER DEVELOPMENT CORPORATION;
DEVELOPMENT OF REGIONAL IMPACT REQUIREMENTS

In consultation with the Planning Department Staff, Reeder Development Corporation and their consultants have agreed to meet the additional following requirements based on Tampa Bay Regional Planning Council Staff review and the Pasco County Planning Department Staff review.

- (a) The Developer agrees to design all sewage treatment facilities and drainage facilities on the site so that adequate protection is available for a twenty-five (25) year cycle flood.
- (b) The Developer agrees to design the sewage treatment facilities with adequate biological monitoring facilities to adequately ascertain the movement of and the potential danger of ground-water pollution by bacteria and virus which shall emanate from human waste on the proposed site of the Development.
- (c) In the event that the initial plan for sewage treatment (land spreading of sewage effluent and polishing pond retention) proves to be inadequate or dangerous to the ground-water supply or any natural surface water feature, the Developer agrees to implement total in-plant tertiary treatment of all sewage effluent.
- (d) The Developer agrees to an additional ecological survey at the proposed development site to again ascertain whether or not endangered plant and/or animal species are present.
- (e) The Developer agrees to maintain all natural wetland, topographic features of the site to include cypress sloughs and the strand of vegetation referred to locally as "Clay Gulley". The Developer shall provide adequate drainage facilities which shall not degrade the quality or reduce significantly the natural productivity of these valuable topographic features.

- (f) The Developer agrees to retain all storm runoff up to the twenty-five (25) year flood on the proposed Development site to enhance the aquifer recharge process.
- (g) The Developer agrees to enter in agreement with the County and the residents of the proposed Development to supply adequate fire protection on or near the site.
- (h) The Developer agrees to give to the County all available Right-Of-Way for transportation structures as are deemed necessary by various County departments.
- (i) The Developer also agrees to donate twelve (12) acres within the proposed development as a future school site.
- (j) In as much as the proposed Development site has been analyzed by the Tampa Bay Regional Planning Staff and the Pasco County Planning Department Staff, and found to be severely limited for high density development because of natural physical features; the Developer agrees to a density of only 2.5 units per acre. *gross?*
- (k) The Developer agrees to submit additional preliminary plats for each phase of the master plan which will detail proposed site for multi-family areas.

TROUT CREEK DEVELOPMENT ORDER AMENDMENT
DEVELOPMENT OF REGIONAL IMPACT
NONSUBSTANTIAL DEVIATION DETERMINATION

RESOLUTION AMENDING THE CONDITIONS OF DEVELOPMENT APPROVAL FOR THE TROUT CREEK (F/K/A DEERFIELD VILLAGE AND WILLIAMSBURG WEST) DEVELOPMENT OF REGIONAL IMPACT TO APPROVE REVISIONS TO THE MASTER DEVELOPMENT PLAN AND DETERMINING THAT THE PROPOSED CHANGE DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION.

WHEREAS, on October 9, 1973, the Board of County Commissioners of Pasco County adopted a Development of Regional Impact Development Order approving, with conditions, the Deerfield Village Development of Regional Impact. Presently, the developer is proposing to change the name of the development to Trout Creek. The development consists of 1,821 acres, 4,500 residential units, commercial/professional development totaling 62 acres, plus 410 acres designated as open space; and

WHEREAS, on August 11, 1988, Pasco Properties, Inc., filed an application requesting a nonsubstantial deviation determination pursuant to Section 380.06(19), Florida Statutes; and

WHEREAS, the proposed change would represent the extension of the buildout date, a decrease in residential acreage, a decrease in commercial acreage, and an increase in open space acreage; and

WHEREAS, the Board of County Commissioners of Pasco County makes the following findings of fact:

1. Pasco Properties, Inc., has filed an application for a nonsubstantial deviation determination.
2. The Board of County Commissioners of Pasco County is the local government governing body having jurisdiction over the review and approval of said Development of Regional Impact in accordance with Section 380.06, Florida Statutes.
3. The developer has submitted the request for approval of a proposed change simultaneously to Pasco County, the Tampa Bay Regional Planning Council, and the State Department of Community Affairs.
4. Pasco County has given 15 days notice and scheduled a public hearing.
5. Neither the Tampa Bay Regional Planning Council nor the Florida Department of Community Affairs has exercised their right to participate at the public hearing.
6. The Board of County Commissioners of Pasco County has held a public hearing on the above-referenced requests on October 11, 1988.