

PASCO COUNTY, FLORIDA

DADE CITY
NEW PORT RICHEY

(904) 521-4274
(813) 847-8132

PLANNING DEPARTMENT
PASCO COUNTY GOVT. CENTER
7530 LITTLE ROAD
NEW PORT RICHEY, FL 34654

July 8, 1988

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

#70 #79
RE: The Lakes and Beacon Woods East,
Substantial Deviation Determinations

Dear Ms. Cooper:

The purpose of this letter is to inform your agency that the Pasco County Board of County Commissioners held public hearings to determine if proposed changes to The Lakes and Beacon Woods East Development of Regional Impact Development Orders constitute substantial deviations. The Board met on May 24, 1988, and determined the proposed changes not to be substantial deviations to the Development Orders.

Copies of the resolutions amending the Development Orders are attached along with the Notices 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/v070802:wp

Attachments

cc: William G. Munz, Deputy Assistant County Administrator
Samuel P. Steffey, II, Planning Director
Frederick J. Lowndes, Acting Zoning Administrator

use copy #70 and
#79 meeting

BEACON WOODS EAST DEVELOPMENT ORDER AMENDMENT

DRI NONSUBSTANTIAL DEVIATION DETERMINATION

RESOLUTION AMENDING RESOLUTION NO. 82-147, AS AMENDED, REVISING THE CONDITIONS OF DEVELOPMENT APPROVAL FOR THE BEACON WOODS EAST 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 August 31, 1982, the Board of County Commissioners of Pasco County adopted by Resolution No. 82-147 a DRI Development Order approving, with conditions, the Beacon Woods East Development of Regional Impact consisting of 4,483 residential units; and commercial/professional development totaling 63.2 acres and 770,000 square feet of floor area; and

WHEREAS, on April 4, 1988, Beacon Homes Company filed an application requesting a nonsubstantial deviation determination pursuant to Section 380.06(19), Florida Statutes; and

WHEREAS, the proposed change would represent the redistribution of dwelling units, an increase in the acreage designated for commercial use, and a reduction in open space acreage; and

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

1. Beacon Homes Company 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 DRI in accordance with Section 380.06, Florida Statutes.
3. The developer has submitted simultaneously to Pasco County, the Tampa Bay Regional Planning Council (TBRPC), and the State Department of Community Affairs (DCA) the request for approval of a proposed change.
4. Pasco County has given 15 days notice and scheduled a public hearing.
5. Neither the TBRPC or DCA 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 May 24, 1988.
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.

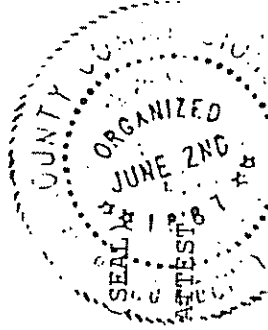
9. The Board of County Commissioners has received and considered the recommendation of the Pasco County Planning Department.

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 Beacon Woods East DRI 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.

2. The proposed change to the Beacon Woods East DRI is approved and Resolution No. 92-147 hereby amended incorporating the approved changes.

DONE AND RESOLVED THIS 24th DAY OF May, 1988.



BY: Jed Pittman
JED PITTMAN, CLERK
By: Rebecca S. Dank

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

BY: Sylvia Young
SYLVIA YOUNG, CHAIRMAN

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

BY: _____
Attorney

eng. 110-000
BCC
29.00
4.00
33.00

NOTICE OF ADOPTION OF DEVELOPMENT ORDER
BEACON WOODS EAST 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. 88-303, dated May 24, 1988, has adopted an amendment to a Development Order for the Development of Regional Impact known as Beacon Woods East. 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.

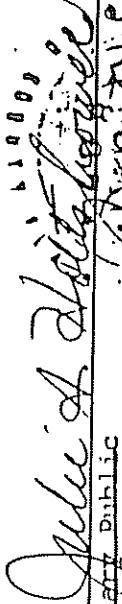
The above referenced Development Order constitutes a land development regulation applicable to the property described in Exhibit "A."

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.


Vice- ~~XXXXXXXXXX~~, Chairman
Board of County Commissioners

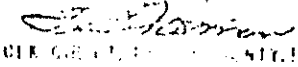
State of Florida)
County of Pasco)

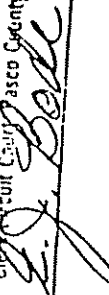
The foregoing Notice of Adoption of Development Order was acknowledged before me this 24th day of May, 1988.


Notary Public
State of Florida at Large
My Commission Expires SEP 11 1990

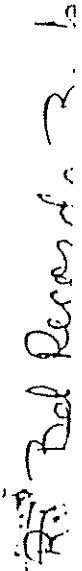
APPROVED AS TO LEGAL FORM AND CONTENT
Office of the County Attorney

Attorney

463526
FILED IN RECORD

JUN 13 4 25 PM '88

RECORD VERIFIED
JED PITTMAN
Clerk Pasco County


beacon:wp

 Ed Rivera

This is NOT a survey.

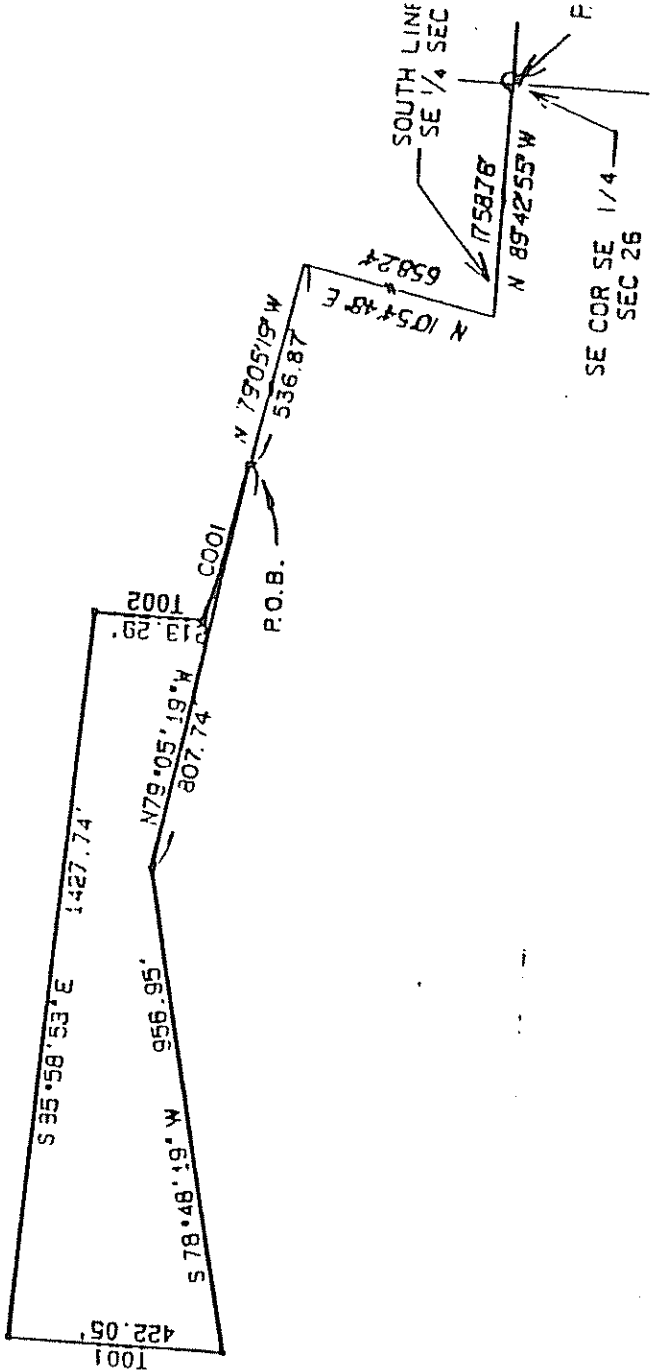
CURVE DATA

ID	RADIUS	DELTA	ARC LGT	CHORD	CHORD BRNG	TANGENT
C001	2924.59	5°08'49"	313.76	313.61	575°00'55"E	157.03

TANGENT DATA

ID	BEARING	DIST
T001	N 0°54'48"E	422.05'
T002	S 0°54'48"W	213.29'

SCALE: 1" = 200'



NOTES:

- 1) The sketch shown here is for graphic representation only and does not represent a boundary survey.
- 2) No title report has been presented to or pursued by the undersigned in conjunction with the above sketch or legal description.
- 3) Bearings shown hereon are based on the South line of the Southeast 1/4 of Section 26, Township 24 South, Range 16 East, as being N 89°42'55" W.
- 4) Corner monuments were not set in conjunction with the preparation of this drawing.
- 5) Reproductions of this sketch are not valid unless sealed with the embossed surveyor's seal.

BEACON WOODS EAST ADDITIONAL LANDS
SKETCH AND LEGAL DESCRIPTION

Job No. 05-50132	Calculated by:	We hereby certify that the attached Sketch and Legal Description is true and correct to the best of our knowledge and belief as recently prepared under our direction and that this sketch meets the intent of the minimum technical standards for surveying pursuant to Section 472.027, Florida Statutes and Chapter 21HH-4, POST, BUCKLEY, SCHUH & JERNIGAN, INC.
Date 4-1-88	Drawn by: N B	
Sheet 1 of 2	Checked by:	
Professional Land Surveyor # 4353		State of Florida
POST, BUCKLEY, SCHUH & JERNIGAN, INC.		CONSULTING ENGINEERS and PLANNERS 2400 ENTERPRISE ROAD CLEARWATER, FLORIDA

LEGAL DESCRIPTION: BEACON WOODS EAST
ADDITIONAL LANDS

A parcel of land being a portion of the South 1/2 of Section 26, Township 24 South, Range 16 East, Pasco County, Florida, being more particularly described as follows:

Commence at the Southeast corner of said Section 26; thence N 89° 42' 55" W, along the southerly line of said Section 26, for 1,758.76 feet; thence N 10° 54' 48" E, for 658.24 feet; thence N 79° 05' 19" W, for 536.87 feet to the POINT OF BEGINNING: thence continue N 79° 05' 19" W, for 807.74 feet; thence S 78° 48' 19" W, for 956.95 feet; thence N 00° 54' 48" E, for 422.05 feet; thence S 85° 58' 53" E, for 1,427.74 feet; thence S 00° 54' 48" W, for 213.29 feet to a point on the arc of a non-tangent curve, a radial line from which point bears N 17° 03' 30" E, to the center of said curve; thence along the arc of said curve, concave to the North, having for its elements a radius of 2,924.59 feet, a central angle of 06° 08' 49", an arc length of 313.76 feet, a chord bearing of S 76° 00' 55" E, and a chord length of 313.61 feet to the POINT OF BEGINNING.

Containing 8.66 acres, more or less.

cw:LD45:0/1
05-501.32
04/01/88

ALSO LESS:

A parcel of land lying in Section 35, Township 24 South, Range 16 East, being more or less described as follows:

Begin at the western-most Point of RAVENSWOOD VILLAGE UNIT 1 as recorded in 19, Pages 62 - 67, Public Records of Pasco County, Florida; thence N 44°40'59" W, along the northeasterly right-of-way of Fivey Road (an 30' right-of-way) for 475.00 feet; thence S 19°22' E, for 200.00 feet to a Point of Curve; thence along the arc of a curve concave Northwest having a radius of 300.00 feet, a central angle of 32°36'04", an arc of 170.00 feet, a chord bearing N 29°01'20" E, for 168.41 feet; thence departing said curve on a non-parallel bearing S 44°40'59" E, for 522.27 feet to the northwesterly boundary of said Ravenswood Village; thence S 45°19'22" W, along said northwesterly boundary 361.64 feet to the POINT OF BEGINNING.

Containing 4.00 acres, more or less.

Net Area = 686.96 acres, more or less.

All being subject to a 3.00 foot maintenance easement lying contiguous and exterior to the following described parcel:

A tract of land located in Section 28 and 35, Township 24 south, Range 16 East, Pasco County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Section 35 as a point of reference; thence S 42°55' W, along the northerly line of said Section 35 for 1,758.76 feet to the POINT OF BEGINNING; thence S 10°54'48" W, for 291.76 feet; thence S 86°54'41" W, for 2,100.00 feet; thence N 00°54'48" E, for 1,114.84 feet; thence N 78°48'19" E, for 956.95 feet; thence S 05°19' E, for 1,344.60 feet; thence S 10°54'48" W, 658.24 feet to the POINT OF BEGINNING.

Legal Description per survey prepared by POST, BUCKLEY, SCHUH & JERNIGAN, INC. dated November 18, 1986, Job No. 05-501-1.26.

Southeast quarter of said Section 27; thence along said line S 89° 31' 25" E. for 822.25 feet to the westerly line of said Section 26; thence along said line N 00° 33' 25" E, for 1,326.03 feet to the West quarter corner of said Section 26; thence S 89° 35' 16" E, along the East-West centerline of said Section 26, said East-West line also being the southerly boundary of Gulf Coast Acres. Unit 1, according to the plat thereof as recorded in Plat Book 5, Page 84, Public Records of Pasco County, Florida, the southerly boundary of Gulf Coast Acres. Unit 4, according to the plat thereof as recorded in Plat Book 5, Page 87, Public Records of said County, and 15 feet South of and parallel with the southerly line of Lots 11 and 12 in Section 26, Port Richey Land Company Subdivision, according to the plat thereof as recorded in Plat Book 1, Pages 60 and 61, Public Records of said County, for 5,339.38 feet to the West quarter corner of said Section 25; thence S 00° 56' 13" W, along the westerly boundary of said Section for 361.72 feet; thence S 89° 35' 58" E, along a line parallel with the northerly line of the Southwest quarter of said Section for 2,520.57 feet to the easterly line of the Southwest quarter of said Section 25; thence S 00° 47' 07" W, along said easterly line for 2,286.84 feet to the North quarter corner of said Section 36; thence S 00° 41' 52" W, along the North-South centerline of said Section for 990.29 feet to a point 15.00 feet West of the Northwest corner of Lot 8 of said Port Richey Land Company Subdivision; thence S 89° 33' 38" E, along the westerly extension of, and the northerly line of said Lot 8 for 1,320.00 feet to the Northeast corner of said lot; thence S 00° 41' 51" W, along the easterly boundary of said Lots 8 and 13, for 660.71 feet to the Southeast corner of said Lot 13; thence N 89° 32' 17" W, along the southerly line of said Lot 13 for 880.00 feet to the Northeast corner of said Lot 14; thence S 00° 41' 51" W, along the easterly line of said Lot 14 and its southerly extension for 990.55 feet to the northerly line of Five-A Ranches, Unit 6, according to the plat thereof as recorded in Plat Book 7, Page 54, Public Records of Pasco County, Florida; thence N 89° 30' 16" W, along said line for 440.00 feet to the center of said Section 36, said point also being the Southeast corner of Five-A Ranches, Unit 7, according to the plat thereof as recorded in Plat Book 7, Page 55, Public Records of Pasco County, Florida; thence along the boundary of said Unit 7 by the following two (2) courses; (1) N 00° 41' 52" E, for 990.29 feet to the Northeast corner of said Unit 7; (2) N 89° 28' 20" W, along the northerly line of said Unit 7 and also the northerly line of Lot 30 of said Port Richey Land Company Subdivision, and the westerly extension thereof, for 2,625.39 feet to the easterly line of the Northeast quarter of said Section 35; thence S 00° 39' 09" W, along said line for 420.11 feet to the POINT OF BEGINNING.

LESS THE FOLLOWING:

A tract of land lying in the Southwest 1/4 of Section 25, Township 24 South, Range 16 East, Pasco County, Florida, and being more particularly described as follows:

Commence at the South 1/4 corner of Section 25, Township 24 South, Range 16 East; thence N 00° 47' 07" E, for 268.41 feet along the East line of the Southwest 1/4 of said Section 25 to the POINT OF BEGINNING; thence continue along said East line N 00° 47' 07" E, for 272.35 feet; thence leaving said East line, N 89° 12' 53" W, for 200.00 feet; thence S 00° 47' 07" W, for 156.98 feet to a point on a curve concave to the North; thence southeasterly along the arc of said curve having a radius of 1,849.86 feet, a central angle of 07° 09' 22", an arc length of 231.04 feet and a chord bearing of S 59° 14' 11" E, for 230.89 feet to the POINT OF BEGINNING, and containing 1.00 acres, more or less.

ALSO LESS:

The East 359.27 feet of Lot 57, PORT RICHEY LAND COMPANY SUBDIVISION, according to the plat thereof as recorded in Plat Book 1, Page 60, Public Records of Pasco County, Florida

Containing 2.62 acres, more or less.

December 10 774 12-3
13:53
RECORDING

01 00 40
DOC STAPPS
01 00 41

50 CASH TOTAL 1

1-5-1962

Witnesseth, _____ That the said part ies of the first part for and in consideration of \$
TEN (\$10.00) and Other Good and Valuable Consideration _____
to them in hand paid by the said part ies of the second part the receipt whereof is hereby ack-
has granted, bargained and sold to the said part ies of the second part their heirs and assis
the following described land, situate in Pasco County, Florida, to-wit:

Documentary Twp. 5
4639. 67-3

Jeff Hinton, Clark Pasco County

JOE FLYNN, Clark Pasco County

By [Signature] Deputy Clerk

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အမှတ် ၁၁၃၂ ကပ်ဘက် ဝန်ထမ်း

S. H. P.

FILED FOR RECORD
CLERK, CIR. CT. - LASCO COUNTY, FL

DEC 31 2 00 PM '86

The undersigned, _____, of the first part have hereunto set hand and seal the day and year above written.

Signed and delivered in the presence of
W. Maurice Macpherson
Garret A. Nuss

C.A. CLAYTON

Maxine J. Clayton
MAXINE J. CLAYTON

County of Las An os

nister oaths and take acknowledgments C.A. Clayton and Maxine J. Clayton, his wife

to me well known to be the person S described in and who executed the foregoing instrument and acknowledge me that they executed the same freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal this _____ day of _____ 19____.

U. R. 1714 PG 1334

22nd day of December

NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES SEPT. 17, 1990

DEVELOPMENT ORDER AMENDMENT

DRI # 79

BEACON WOODS EAST

PASCO COUNTY

On March 10, 1987, the Council received a copy of an Amendment to the Beacon Woods East Development Order adopted by the Pasco County Board of County Commissioners on March 3, 1987. In accordance with Section 380.07, Florida Statutes, the Development Order Amendment has been reviewed for consistency with the Council's Development of Regional Impact (DRI) report, and with the original Development Order approved August 31, 1982.

On March 3, 1987, the Pasco County Board of County Commissioners determined that the proposed revision to the Beacon Woods East development plan was not a substantial deviation requiring further DRI review. This Amendment will permit relocation of the Harper-Hamilton Road, elimination of the 15-acre school site, addition of a golf course and a four-acre library site and relocation and redesign of commercial and office areas. The number of dwelling units remains at 4,483 while the land area and square footage for office development remains the same. Commercial land area will increase by 5.9 acres (6 acres is the substantial deviation threshold); the square footage of the commercial area will remain the same. Therefore, the density of commercial development will be reduced. This is the only criteria under which the Amendment approaches one of the substantial deviation thresholds established in Section 380.06 (19), Florida Statutes.

This Amendment makes the following changes:

1. Provides for submittal of a revised Master Drainage Plan and submittal of incremental drainage plans in conformance with the Master Drainage Plan, indicating how and when the incremental drainage system will coordinate with the entire system, and detailing ownership and maintenance responsibilities. Pasco County will have the right to utilize the golf course for wastewater effluent disposal by spray irrigation.
2. Provides for adequate road right-of-way dedications, (building setbacks, and developer construction of Harper-Hamilton Road and Little Road Extension (Fivay Road)).

DRI #79

GENERAL LOCATION MAP

HERNANDO COUNTY

SUMTER COUNTY

DADE CITY

ST. LEO
ANTONIO

ZEPHYRHILLS

PASCO COUNTY
HILLSBOROUGH COUNTY

PORT RICHEY
NEW
PORT RICHEY

Tarpon
Springs

MEXICO

Dunedin

CLEARWATER

Largo

Seminole

Pinellas Park

ST. PETERSBURG

Bradenton Beach

Longboat Key

GULF

TAMPA BAY

Anna Maria

Holmes Beach

Bradenton Beach

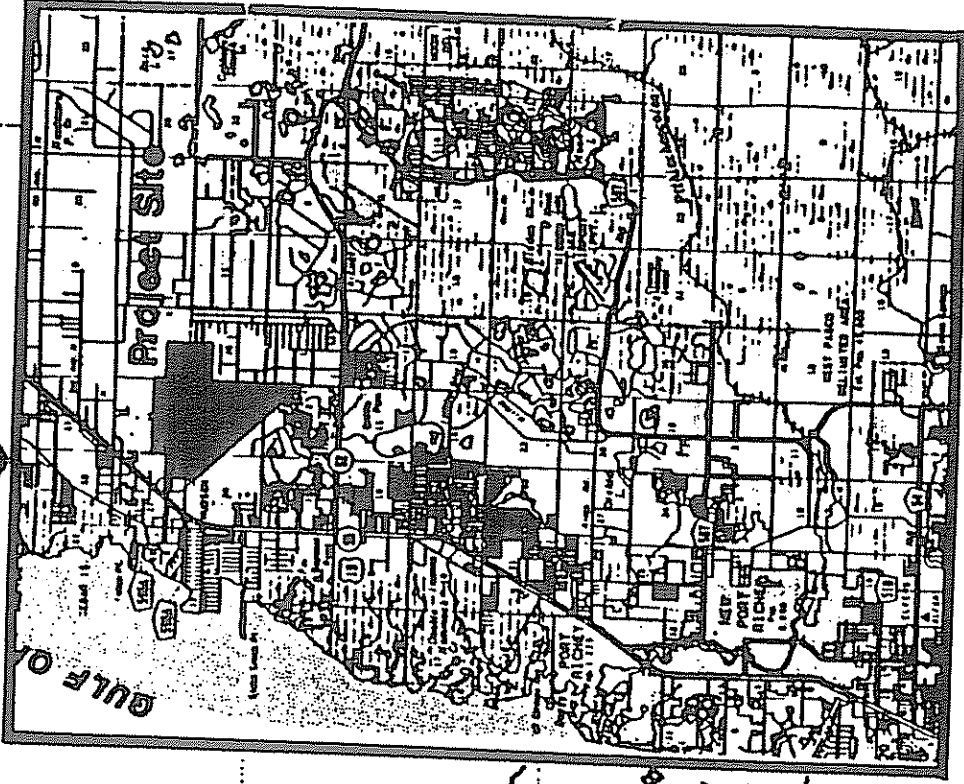
BRADENTON

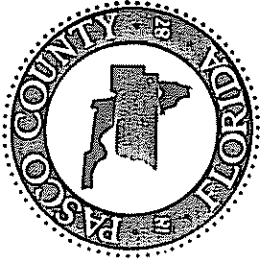
Longboat Key

SARASOTA COUNTY

BEACON WOODS
EAST

HARDEE COUNTY





PASCO COUNTY, FLORIDA

PLANNING DEPARTMENT
4025 Moon Lake Road
New Port Richey, FL 33553
Telephone: (813) 847-8132

August 24, 1983

Mrs. Sheila Benz
D.R.I. Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, FL 33702

Dear Sheila:

RE: Beacon Woods East - Amendment to Master Plan

As we have previously discussed, the Harper-Hamilton Road alignment has been submitted for County approval as set forth in the Beacon Woods East Development Order. The proposed alignment veers a couple of hundred feet to the north of the original Master Development Plan, which consequently, increases or decreases the size of several bubbles (increments). The effect of the change in bubble sizes is an increase of 31 dwelling units. The County is to make a substantial deviation determination on this 31 unit increase.

Enclosed please find the agenda items for the road alignment and the substantial deviation. The Board will hear this on August 30, 1983 at 9:30 a.m. In addition, I have enclosed the revised Master Development Plan. If the Board approves the change, we will be sending you a signed Development Order amendment resolution.

If you have any questions, feel free to contact me.

Sincerely,

Douglas R. Uden
Senior Planner

DRU/epr

Enclosures

PASCO COUNTY, FLORIDA
INTER-OFFICE MEMORANDUM

TO: Honorable Chairman and
Members of the Board
of County Commissioners

DATE: 8/22/83

FILE: PL83-890



SUBJECT: Beacon Woods East - Harper-Hamilton
Road Alignment

FROM: David J. Pettrow
Acting Planning Director

REFERENCES:

Draft

It is recommended that the data herein presented be given formal consideration by the County Commission.

DESCRIPTION AND CONDITIONS:

As a condition of approval of the Development Order for the Beacon Woods East DRI, the developer is to construct Harper-Hamilton Road from U.S. 19 to the eastern boundary of the project. The construction plans were to be completed by August 31, 1983; however, prior to these construction plans, the County was to approve the roadway alignment. The first request of this memorandum is to recommend that the Board approve the submitted roadway alignment.

With the approval of this alignment, the developer can complete and submit the construction plans for this road. Since this process is somewhat behind schedule, a 60-day extension is requested for the submittal of the construction plans (from August 31, 1983, to October 31, 1983). A Resolution is attached, which will amend the DRI Development Order and allow for such an extension.

The proposed alignment veers a couple of hundred feet to the north of the road location shown in the approved Master Plan. The proposed alignment follows an existing electric powerline. Moving the road alignment, however, affects several of the bubbles (increments), in so far as, some of the bubbles increase in size while the adjoining bubbles decrease in size. The overall effect is an increase of 31 dwelling units and a reshaping of the commercial area on the northeast corner of the future intersection of Harper-Hamilton Road and Fivay Road Extension.

Prior to approving the modified Master Plan with the additional 31 dwelling units, a substantial deviation determination of the DRI should be heard by the Board. Attachment #1 (PL83-892) is the findings and recommendation of the Planning staff for such a determination.

RECOMMENDATION:

The Planning staff and the Development Review Committee recommend that:

1. the Harper-Hamilton Road alignment be approved, as submitted, provided that the developer is responsible for relocating any utility lines along this route;
2. the modified Master Plan is not a substantial deviation from the approved DRI/Development Order, and the modified Master Plan be approved for the MPUD zoning designation; and,
3. the Development Order be amended to allow the additional 31 dwelling units and the extension of the deadline for construction plans for Harper-Hamilton Road.

DJP/DU/g8/22/3

Attachments

APPROVED AGENDA ITEM

FOR _____

BY _____

BY COMMISSIONER _____

RESOLUTION NO. _____

RESOLUTION AMENDING RESOLUTION
NO. 82-147; ALLOWING THE ADDITION
OF THIRTY-ONE (31) DWELLING UNITS
TO THE OVERALL APPROVED TOTAL
DWELLING UNIT NUMBER; ADDING A PRO-
VISION ALLOWING THE COUNTY ADMIN-
ISTRATOR OR HIS DESIGNEE TO
APPROVE NON-SUBSTANTIVE CHANGES.

BE IT RESOLVED by the Board of County Commissioners of
Pasco County, Florida, duly assembled in regular session this
_____ day of August, 1983, that Resolution No. 82-147 is hereby
amended by increasing the total number of approved dwelling
units from 4,483 to 4,514 and by adding a new subparagraph J. 4.
on page 28 of said Resolution, to read as follows:

Minor or non-substantive changes proposed by
the developer may be approved by the County
Administrator or his designee without the necessity
of Board approval.

DONE AND RESOLVED this _____ day of August, 1983.

[S E A L]

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

ATTEST:

By _____
Jed Pittman, Clerk

By _____
Sylvia Young, Chairman

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

By _____
Attorney

Unrecorded?
Not off

PASCO COUNTY, FLORIDA
INTER-OFFICE MEMORANDUM

TO: Honorable Chairman and
Members of the Board
of County Commissioners

DATE: 8/23/83 FILE: PL83-892

FROM: 
David J. Pettrow
Acting Planning Director

SUBJECT: Beacon Woods East - Substantial
Deviation Determination (Aug. 1983)

REFERENCES:

It is recommended that the data herein presented be given formal consideration by the County Commission.

DESCRIPTION AND CONDITIONS:

On August 31, 1982, the Pasco County Board of County Commissioners approved a Development Order for a Development of Regional Impact (DRI) and a Master Planned Unit Development known as Beacon Woods East. The DRI application proposed 4,483 dwelling units, along with other land uses. As part of the Development Order conditions, the road alignment for the proposed Harper-Hamilton Road is to be approved by the County prior to construction drawing submittal. The developer has submitted the road alignment, which is somewhat different than what was shown on the Master Plan in the DRI application and that which was approved with the Master PUD rezoning. The new alignment changes the number of units and the acreage for specific land uses. Due to these proposed changes, the County is to make a determination as to whether the revised plan substantially deviates from the original Development Order. Florida Statutes, Chapter 380 (DRI), sets forth criteria which may be used in determining whether a change is a substantial change requiring additional review. As the statute states, "Substantial deviation" means any change to the previously approved Development of Regional Impact which creates a reasonable likelihood of additional adverse regional impact, or any other regional impact created by the change not previously reviewed by the regional planning agency." In addition, the deadline of August 31, 1983, for the submittal of the Harper-Hamilton Road construction drawings will not be met, due to the fact the road alignment has not yet been approved by the County. A 60-day extension of this deadline has been requested.

ALTERNATIVES AND ANALYSIS:

Subsection (17)(b) of Chapter 380 states, "In determining whether a development of regional impact previously approved . . . is subject to further review pursuant to this section, the local government shall consider the following changes which shall be presumed not to be substantial deviations requiring further review" and lists seven criteria. Using the criteria, the following should be considered:

1. "An increase in the number of dwelling units of not more than 5 percent or 200 dwelling units, whichever is less."

The original plan proposed 4,483 dwelling units, while the revised plan totals 4,514 dwelling units; an increase of 31 units or 0.69%. This increase is well below the 200 units or 5.00% criteria.

Finding: No deviation.

2. "A decrease in the number of dwelling units which does not require a major redistribution of density."

A decrease in the number of overall dwelling units is not proposed. There is proposed a decrease of 29 single family units, an increase of 21 single family cluster units, and an increase of 39 multifamily units. Table 1, attached, gives the comparison of the approved plan versus the modified plan. Though the revised plan changes the allowable density in several bubbles (increments), the Planning staff does not feel that this is, in no way, a major redistribution.

Finding: No deviation.

3. "A decrease in the area set aside for common open space of not more than 5 percent or 50 acres, whichever is less."

As shown in Table 1, there will be a very slight reduction in the buffer and conservation area by 1.3 acres; however, the acreage is proposed to be placed in the bikeway/open space corridor. Consequently, the open space has increased slightly, not decreased.

Findings: No deviation.

4. "An increase in the area set aside for common open space."

Theoretically, the revised plan increases the open space by 1.3 acres.

Findings: No deviation.

5. "An increase in the floor area proposed for nonresidential use of not more than 5 percent or 10,000 square feet, whichever is less."

Though the revised plan reshapes the commercial area on the northeast corner of the proposed intersection of Harper-Hamilton Road and Fivay Road Extension, it does not alter the acreage or square footage of this nonresidential use.

Findings: No deviation.

6. "A decrease in the regional impact of the development."

It is the opinion of the Planning staff that the revised plan will have no different impacts than those which were originally reviewed. Consequently, the existing conditions of the Development Order address the impacts. A 60-day extension of the date the construction drawings are to be submitted (from August 31, to October 31, 1983) should not affect the completion of the Harper-Hamilton Road, for the road is still required to be constructed by December 31, 1984.

Findings: No deviation.

7. "A change required by permits, conditions, or requirements imposed by the Department of Environmental Regulation, the Department of Natural Resources, or any water management district created by S. 373.069 or any of their successor agencies or by any appropriate federal regulatory agency."

This determination is not basing its findings upon any changes of permit conditions or requirements imposed by the above-mentioned agencies.

Findings: Not applicable.

RECOMMENDATION:

It is recommended that the Board of County Commissioners determine that the revised plan is not a substantial deviation.

DJP/DU/g8/22/2

Attachment

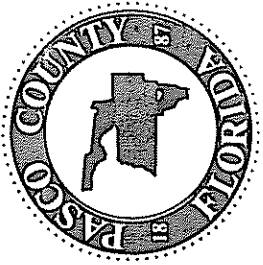
APPROVED AGENDA ITEM

FOR _____

BY _____

TABLE I
MODIFIED MASTER PUD
BEACON WOODS EAST

	APPROVED MPUD		MODIFIED MPUD			
	ACRES	UNITS	ACRES	UNITS	ACRES	UNITS
SINGLE FAMILY	428.7	1,532	416.5	1,503	-12.2	-29
SINGLE FAMILY CLUSTER	179.2	618	179.5	639	0.3	+21
MULTI-FAMILY	242.5	2,064	248.5	2,103	6.0	39
MODEL CENTER	5.0	18	5.0	18		
APARTMENTS	19.6	251	19.6	251		
COMMERCIAL	33.5	-	33.5	-		
PROFESSIONAL OFFICE	29.7	-	29.7	-		
COMMUNITY SERVICES	15.0		15.0			
ROAD RIGHT-OF-WAY	62.8		65.2		2.4	
OPEN SPACE	240.3		240.3			
TOTAL	1,256.3	4,483	1,252.8	4,514	- 3.5	31
	ACRES		ACRES			
RECREATION AREA	3.8		3.8			
RECREATION RESERVE	20.0		20.0			
PARKS	12.9		12.9			
LINER PARKS	5.8		5.8			
BIKEWAY/OPEN SPACE CORRIDOR	63.6		64.8		1.2	
BUFFERS	19.8		19.9		0.1	
CONSERVATION	51.5		50.2		-1.3	
LAKES	62.9		62.9			
TOTAL	240.3		240.3		0	



PASCO COUNTY, FLORIDA

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

PLANNING AND ZONING DEPT.
PASCO COUNTY GOVT. COMPLEX
7432 LITTLE ROAD
NEW PORT RICHEY, FL 34654

May 1, 1989

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

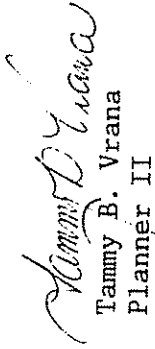
RE: Notification of Board of County Commissioners Approval with Conditions of the
Beacon Wood East Development of Regional Impact Development Order Amendments

Dear Ms. Cooper:

The purpose of this letter is to inform you that on April 25, 1989, the Board of County Commissioners approved with conditions a proposed amendment to the Beacon Woods East Development of Regional Impact Development Order. The change was also determined not to be substantial. The amendment Resolution and Notice of Adoption are attached.

Thank you for your cooperation. Please do not hesitate to call if there are further questions.

Sincerely,


Tammy B. Vrana
Planner II

EAE/v042809:wp

Attachment

cc: William G. Munz, Acting Assistant County Administrator (Development Services)
Bipin Parikh, P.E., Code Enforcement Director
Cynthia M. Jolly, P.E., Acting Development Review Manager
Frederick J. Lowndes, Assistant Planning and Zoning Director

RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, AMENDING RESOLUTION NO. 82-147, AS AMENDED, ESTABLISHING A DEVELOPMENT ORDER FOR THE BEACON WOODS EAST DEVELOPMENT OF REGIONAL IMPACT; AMENDING SUBPARAGRAPH 12(b)(5) TO ALLOW THE COUNTY TO WITHHOLD TRANSPORTATION IMPACT FEE CREDITS TO THE DEVELOPER TO COMPLETE ADDITIONAL ROAD CONSTRUCTION IF WARRANTED BY A VALIDATED TRAFFIC ANALYSIS.

WHEREAS, the Board of County Commissioners of Pasco County, Florida, adopted Resolution No. 82-147, as amended, which established a Development Order for Beacon Woods East Development of Regional Impact; and

WHEREAS, Subparagraph 12(b)(5) relates to certain general conditions regarding transportation mitigation measures during buildout of Beacon Woods East; and

WHEREAS, the parties desire to amend Subparagraph 12(b)(5) to allow the County to withhold transportation impact fee credits to the Developer to be used to complete further road lane construction if such is warranted on Fivay Road Extension by an updated validated traffic analysis.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County, Florida, in regular session duly assembled, that Subparagraph 12(b)(5) of Resolution No. 82-147, as amended, is hereby further amended as follows:

(5) The Developer shall construct an additional two (2) lanes on Fivay Road Extension and Harper-Hamilton Road when warranted by any validated traffic analysis submitted pursuant to Subparagraph (2) above which indicates that such internal roads will fall below Level of Service C (Level of Service D at peak hours) after completion of the next contemplated phase of development. Upon approval of this amendment, Pasco County may withhold transportation impact fee credits until such time as the amount of said withheld credits equals the estimated cost to complete the portion of possible roadwork required by the updated traffic analysis. If the above-referenced traffic study shows the additional two (2) lanes on Fivay Road Extension and Harper Hamilton Road are warranted, the Developer may draw down on the withheld impact fees to complete the necessary road improvements. As an alternative, Pasco County may elect to construct the additional laneage

warranted and may then draw down on the Developer's existing transportation impact fee credit account. If the above-referenced traffic analysis indicates additional laneage is not warranted, the amount of withheld impact fee credits shall be made available to the Developer for its use in accordance with the Development Order and Agreement between the County and Developer. Nothing in this amendment shall be held to prohibit Pasco County from further amending the Beacon Woods East Development Order nor shall the Developer's rights be impaired to legally object to any provision of the Development Order or these amendments. Further, nothing in this amendment shall alter or amend the provisions of Subparagraph (5) of Alternative II.

It is the express purpose of this amendment only to provide authorization for Pasco County to withhold the transportation impact fee credits to the developer as set forth above. This amendment is not intended to confirm or otherwise impose upon the developer any obligation not originally imposed by the Development Order, as amended.

DONE AND RESOLVED this 25 day of April, 1989.

(SEAL)

ATTEST:

By Kay Church
Jed Pittman, Clerk

BOARD OF COUNTY COMMISSIONERS OF
PASCO COUNTY, FLORIDA

By Allan G. Saffranek Jr., Chairman

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

By [Signature]
Attorney

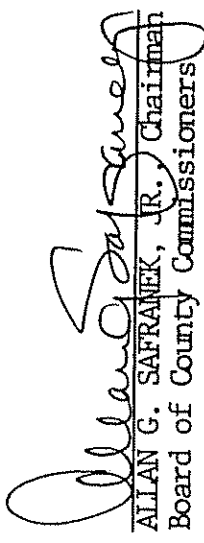
NOTICE OF ADOPTION OF DEVELOPMENT ORDER

NOTICE OF ADOPTION DEVELOPMENT ORDER FOR THE
BEACON WOODS EAST DEVELOPMENT OF REGIONAL IMPACT

Pursuant to Section 380.06(14)(d), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners, by Resolution No. 84-166, dated April 25, 1989, has adopted a Development Order for the Development of Regional Impact known as Beacon Woods East. A legal description of the property covered under 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 Resolution No. 82-147.

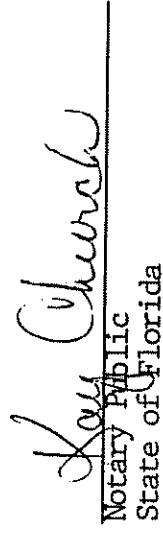
The recording of this Notice shall not constitute a lien, cloud, or encumbrance on the real property described in above-mentioned Resolution nor actual nor constructive notice of any of the same under the authority of Section 380.06(14)(d), Florida Statutes.


ALLAN G. SAFRAMEK, JR., Chairman
Board of County Commissioners

State of Florida)

County of Pasco)

The foregoing Notice of Adoption of Development Order was acknowledged before me this 28 day of April, 1989.


Notary Public
State of Florida

My Commission Expires:

Notary Public, State of Florida
My Commission Expires Feb. 16, 1990
Bonded Thru Troy Fair

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


Attorney



PASCO COUNTY, FLORIDA

OFFICE OF THE COUNTY ATTORNEY

4025 Moon Lake Road
New Port Richey, FL 33552
PHONE: (813) 847-8120

October 21, 1982

Scott L. Knox, Esq.
County Attorney

J. Ben Harrill, Esq.
Christopher G. Miller, Esq.

William A. Ockunzzi
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, FL 33702

Dear Bill:

Enclosed please find an amendment to the Beacon Woods East Development Order enacted by the Board of County Commissioners on October 19, 1982. The amendment is being sent to your office in compliance with the provisions of Chapter 380.06 Florida Statutes.

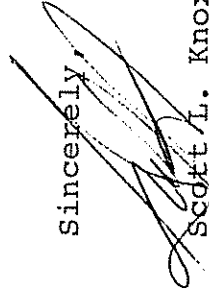
Please note that the amendment was adopted by the Board of County Commissioners in an effort to settle the pending appeal before the Florida Land and Water Adjudicatory Commission relating to the interpretation of the transportation conditions set forth in paragraph 12b.(1). By virtue of having enacted this amendment, and by virtue of having reassessed the history of the Beacon Woods East Development Order, it is now the opinion of the County Attorney's Office that the language set forth in paragraph 12b.(1) can be interpreted to mean that if any of the roadway segments referenced falls below Level of Service C, the developer would not be permitted to exceed 1800 units until he has made commitments to construct improvements which would offset the impact of his development at buildout on the specific roadway segment which fell below Level of Service C.

I trust this resolves any conflicts that we may have had over the previous construction of this paragraph and would urge the voluntary dismissal of this appeal on stipulation of all parties involved.

William A. Ockunzzi
October 21, 1982
Page 2

If you have any questions or comments please feel free
to contact me.

Sincerely,



Scott L. Knox
County Attorney

SLK:mjs
Enclosure

cc: Stephen Sparkman, Esq.

1. General:

Under the Development of Regional Impact, Application for Development Approval, we believe the DRI does not meet your requirements in many areas.

As per instruction (D), page 3, Chapter 380.06(6), all information supplied was not accurate, up-to-date or complete as required. In some cases the information supplied appears to have been directly altered to meet the needs of the developer in setting the DRI approvals.

The areas of greatest concern deal with the transportation system, both current and anticipated; the location of roadways in relation to flood plains; the environmental impact of roadways; and the hydrological and geological conditions of the area that appears to be prone to sinkhole activity, several of which have developed within the last few months.

The Grand Jury that indicted a County Commissioner also made a three page presentation indicating "widespread inefficiency and incompetence" in four county departments, including the planning department. This brings forth some additional questions:

1. Did an incompetent planning department recommend approval of the DRI and Rezoning Submittals?
2. Did an incompetent Planning Commission accept the recommendations of an alleged incompetent staff?
3. Did the County Commissioners act in a prudent and judicious manner in accepting the approvals of the planning staff and commission?
4. Should the DRI and Rezoning Submittals be set aside until the authority having jurisdiction can adjudicate the competence of the planning staff and commission?
5. Should the DRI be denied, along with the Rezoning Submittals, due to the shadow of inefficiency and incompetence reigning over these county departments and boards?

We believe the answer to all the above questions is a resounding yes! Based on the information provided to you, we ask that the DRI and Rezoning submittals be invalidated and also propose that action on any other DRI in Pasco County be withheld until such time that adequate information concerning adverse impacts of these developments in the existing area can be fully explored.

We further believe an inaccurate and incomplete DRI has been submitted and routinely approved by the Planning Department and County Commissioners. We question whether the Planning Department and County Commissioners would have approved this DRI and Rezoning had the developer not agreed to furnish \$4,000,000 in roads to be deeded to the county. We further question whether the Rezoning Submittals allowing apartments, professional and commercial complexes would have been granted had the above indicated roads not been agreed to.

2. Transportation:

Page 31-1 of the DRI-ADA indicates the traffic counts were taken in September, 1981. This is historically a slow traffic period, prior to the "snowbird" influx and post summer vacation season. Thus, the traffic estimates on page 31-25 of 30,509 vehicles daily on Fivay Road at the end of Phase III construction are grossly inaccurate. Should not the counts have been taken in January or February?

Traffic generated through the Beacon Woods East development at the end of Phase III construction is indicated to be projected at 44,628 vehicle trips daily, on page 31-15 of the DRI. 65% of this traffic will be attracted by the commercial and professional office complexes! We will be burdened in effect with non-resident traffic.

The DRI dismisses the impact of River Ridge (1896 acres, pop. 13,100), Beacon Villages (640 acres, pop. 7,000), and The Lakes (size unknown, pop. est. at 4,000) in traffic generations involving Fivay Road and the two proposed roads through and adjacent to the present Beacon Woods East site. In effect, the DRI is stating these developments will not utilize any of the roads noted above!

The Fivay Extension and Harper-Hamilton Road projects were not addressed in the DRI. No projections were made on traffic counts, adverse impacts to the environment or existing residents, nor their impact on the total DRI. Additional traffic generation was not even considered.

Page 31-30 of the DRI indicates U.S. 19 and S.R. 52 will not be able to handle the traffic generation and background traffic by the end of phase II of construction. Building roads that will result in traffic being channelled into Fivay Road, which connects with both U.S. 19 and S.R. 52 will ultimately result in traffic jams of significant magnitude. We fear traffic on these roads will not only become unbearable for the residents of local communities, but inhibit emergency vehicle traffic from entering the hospital complex, located on Fivay Road near the proposed intersection of Harper-Hamilton Road. When Fivay Road is four and six laned as proposed in the future (DRI-Informational Sufficiency Responses, page 52), the road will virtually pass through the yards of residents and create an unbearable climate for living. In fact, there appears no way in which Fivay Road can be widened without condemnation of new homes to allow for a roadway!

According to County Commissioners, the proposed Fivay Extension and the Harper Hamilton Road are being built in existing locations since, through the DRI process, they were able to convince the developer to build these roads. They further indicate the same technique will be used on other builders to develop a road system in Pasco County. Another hodge-podge of roadways built only because they can be forced from a developer! Not in areas where they will be useful for decades to come, but in areas where they will create negative impacts immediately!

A long range transportation plan is required by the DRI process. This was not provided as pointed out in the DRI appendix C, page C-4. Only a 5 year transportation plan is currently available! Can approval of this DRI be allowed without its meeting all requirements, particularly when future traffic needs have not been adequately addressed?

3. Environmental, Geological and Hydrological:

A. Environmental:

Pollution estimates according to DRI page 13-2, table 13-1 indicate a total emission level from motor vehicle traffic at 7972.9 lbs/day. Only 13.38% will be from internal traffic generation; 86.62% will be from traffic generated by non-residents. We believe this pollution level estimation is also understated, since traffic counts on adjacent roads were also understated. Senior citizens, in particular, are more prone biologically to respiratory problems created by or chronically enhanced by pollution levels.

Wildlife habitats abound in the present area. The DRI addresses the wildlife on pages 18-18 through 18-15. A number of threatened or special concern species are believed to make this area their refuge, in fact, the Gopher Tortoise, Louisiana Heron and the Little Blue Heron were observed by field investigation as noted in the DRI. The DRI alludes that the species will have adequate area to habitate in the wild areas to be left after development. We believe this will require the migration of these species, both during and after development, to other areas more suitable for their habitation and this may severely endanger their ability to acclimate and reproduce in this area.

B. Geological:

Question 14(E), page 14-9 in the DRI asks description of any unique geological features of the site. Paragraph 2 of the answer indicates lineaments are the highest potential areas of sinkhole occurrence. The statement is made that identification of lineaments is difficult due to the weathering of dune sands and definite lineaments are not readily observed in this type terrain. Due to these factors, very few were delineated on this site. Simply since the lineaments are not readily visible, can the developer rely on the assumption that there are no lineaments involved in construction areas?

In Appendix A, Page A-1, Figure 5-3, boring sites are shown as made by Law Engineering and Testing Co. These limited number of borings are, for the most part, on or near what was then a proposed golf course, since deleted from planning. Figure 5-13 on Appendix A page A-11 gives an overview of borings completed by both Law and Brown Testing Laboratory. Again, borings are shown in the area of the then proposed golf course for the most part. In addition, borings were completed in 1976 and 1978, the latest being four years before DRI approval. Potential changes in substrate and sinkhole activity caused by sediment loss due to underground conduits activity over four to six years have not been taken into account.

Borings completed by both of the testing organizations terminated at a depth between 9 and 23 feet. Is this depth sufficient to show the true subterranean conditions of the Beacon Woods Plat?

According to maps on pages 14-10 and Appendix A pages A-1 and A-11, all dune areas were not test bored, nor were bores made in the northern areas of the plat. Shouldn't test bores have been made in all areas that may be utilized for construction. Do these test bores represent an accurate picture of the entire plat area under DRI consideration?

The boring method is considered a "hit-or-miss" method by many geologists. Since sinkholes are a very localized phenomena, a bore test may be conducted several feet from a sinkhole and no positive results obtained. The

B. Geological, cont'd.

Geophysical method using modern computer technology equipment is by far a more preferable approach. The electro-magnetic and radio-frequency equipment available for over four years has been utilized to perform geological surveys on sinkhole potentials, with accuracies stated in excess of fifty feet in subsurface depth. However, this type equipment was apparently not utilized in any of the tests conducted on this plat.

During a February 10, 1982 meeting with Bill Fehring, a member of a caving organization, who has explored the sinkhole caverns in the Beacon Woods development, southwest and adjacent to Beacon Woods East, some unusual circumstances were discussed regarding sinkhole activity in this area of Pasco County. The DRI, Informational Sufficiency Responses, Page 3, question 14,a,b,c and summary indicates there is a serious concern in this area. However, no knowledge that the most modern electronic geographical test equipment was ever employed is evident.

In summary, since sinkholes are a localized phenomena, the lack of identification of lineaments does nothing to refute their existence. Sinkholes are often filled with loose sediment and with the passage of time, possible even short periods, may allow the sediment to be sucked from the sinkhole through the opening of underground conduits or channels, leaving the subject area of the surface prone to collapse within a short period of time. The four to six year lapse since testing is of great concern as well as failure to utilize the most modern methods available to insure the safety of the residents and occupants of the development. Also, the boring method appears as a hit-or-miss method. Auger tests are good only if a sinkhole is actually contacted. Even at best, the past tests did not cover all areas where construction is now contemplated and leaves serious doubt as to the stability of the subsurface land. In addition, a number of sinkholes have opened up within the past several months. In the Clayton Village area of the plat. One of these sinkholes was within a few feet of an existing dwelling, the second within an area approximately 50 feet away from a dwelling. This appears to offer proof that the existing test borings are insufficient to protect the properties and possibly the lives of the residents of this DRI area.

C. Flood Plains:

The maps in the DRI, page 11-5 and 11-10 indicate areas that are to be utilized in the construction of roads and buildings as well as reflect topographical conditions. If these maps are overlaid, one on top of the other, some interesting questions arise. The flood plain is depicted as a straight line while elevations along that line are constantly changing. Can that be correct? A cypress swamp is shown, bisected by the proposed Harper-Hamilton Road. The environmental impact is not explained. Are any regulations in existence regarding roadways being built through wetlands and cypress swamp areas? Should they not be addressed? How can a major evacuation route during hurricanes be put through an area designated as a flood plain?

4. Development Impact:

The DRI instructions indicate all information must be complete. The DRI*Informational Sufficiency Responses, page 37 states the Application for Development Approval was approved for the River Ridge Development three weeks before the application for Beacon Woods East was submitted. "Therefore, it seems inappropriate for the application to consider the development". It appears to be totally illogical for River Ridge, the largest development in West Pasco County, to be discounted in the impacts of the DRI. The county was aware of the River Ridge development and working on it over a year and they still did not require the developer to respond on this. We believe this is incomplete information.

Another development, Beacon Villages must be considered as a high potential impact on the area as the closest hospital and healthcare complex lies within and adjacent to the Beacon Woods East plat. Since the Beacon Villages area is designed as a retirement village, it appears only reasonable for them to have a great need for these medical facilities, thus producing an impact on this community and its proposed roads.

Additional information on The Lakes development could not be obtained, as reports and other pertinent materials are not available due to the present Grand Jury investigation in West Pasco.

5. Additional Questions:

- A. Since there appears no Professional Engineer on the county planning staff, how can they intelligently interpret and formulate answers to questions and reports submitted by Professional Engineers?
- B. Why did the developer complete three villages and start construction on two more villages before submission and subsequent county approval of the DRI.
- C. Why was no long range transportation plan completed as required in the DRI.
- D. When questions such as this can be raised by residents of the affected area, why was approval given by the Planning Department, Tampa Bay Regional Planning Council and the County Commissioners?

Will S. Hulton Jr.

Mr. William G. Hulton, Jr.
Vice-President Lakeside Woodlands
Civic Association
157 Rusty Hook Drive
Hudson, Florida, 33568

C. Bruce Schryver

Mr. Bruce Schryver
7711 Willoughby Lane
New Port Richey, Florida, 33553

William Rex Nelson

Mr. William Rex Nelson, Jr.
7517 Whisper Circle
New Port Richey, Florida, 33553

Lynn Marie Nelson

Mrs. Lynn Marie Nelson
7517 Whisper Circle
New Port Richey, Florida, 33553

Lawrence C. Bokendorf

Mr. Lawrence C. Bokendorf
7511 Whisper Circle
New Port Richey, Florida, 33553

Mr. John Sutch, Jr.

1505 Woodbine Drive
New Port Richey, Florida, 33553

Out of State due to family death unable to sign

Mrs. Edna Sutch

1505 Woodbine Drive
New Port Richey, Florida, 33553

Out of State due to family death unable to sign

Ronald A. Daughenbaugh

Mr. Ronald A. Daughenbaugh
7701 Whisper Circle
New Port Richey, Florida, 33553

BY COMMISSIONER _____

RESOLUTION NO. 82-167

RESOLUTION AMENDING RESOLUTION NO. 82-147; AMENDING THE TRANSPORTATION CONDITIONS SET FORTH IN PARAGRAPH 12b.(1); ADDING A NEW SUBPARAGRAPH 12c.(5).

BE IT RESOLVED by the Board of County Commissioners of Pasco County, Florida, duly assembled in regular session this 19th day of October, 1982, that Paragraph 12 of the Beacon Woods East Development Order, as recited in Resolution No. 82-147 is hereby amended by substantially rewording Paragraph 12b.(1) and creating a new subsection 12c.(5) to read, respectively, as follows:

b. General Conditions

(1) If the following roadway segments

Fivay Road from U.S. 19 to S.R. 52,

S.R. 52 from U.S. 19 to Hicks Road,

Plaza Drive (C.R. 1) from S.R. 52 to Ridge Road,

After it has been constructed, Fivay Road Extension from Fivay Road to the northern boundary of the project, and

After it has been constructed, Harper-Hamilton Road from the east boundary of the project to U.S. 19

fall below Level of Service C (D at the peak hour) or other acceptable Level of Service identified in the ITIP (or future ITIP) and/or the TBRPC Growth Policy, Future of the Region (hereinafter referred to as the ACCEPTABLE LOS) the County shall not approve any further site plans or preliminary plans within the DRI beyond 1800 units until such time as:

- (a) the developer makes commitments, to construct improvements, which would offset the impact of the development at buildout on the specific roadway segment which is below acceptable LOS; or
- (b) the developer, the County, or other entities make commitments to improve the specific roadways which are below acceptable LOS in a manner sufficient to restore said roadways to acceptable LOS.

- (5) If implemented, this alternative shall serve to fully discharge the developer's responsibility to offset the transportation system impacts of the development throughout buildout.

DONE AND RESOLVED this 19th day of October, 1982.

(SEAL)

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

ATTEST:

BY Jed Pittman
JED PITTMAN, Clerk
By: Mercedes Moore, SC

BY Sandra Lee Werner
SANDRA LEE WERNER, Chairman

APPROVED AS TO FORM AND LEGALITY
Office of the County Attorney

[Signature]
Attorney

RESOLUTION ADOPTING A DEVELOPMENT ORDER
APPROVING, WITH CONDITIONS, THE BEACON
WOODS EAST DEVELOPMENT OF REGIONAL
IMPACT.

WHEREAS, Beacon Homes of Florida, Incorporated, has filed an Application for Development Approval (ADA) with the Pasco County Planning and Zoning staff; and

WHEREAS, the ADA has been received in accordance with Chapter 380.06, Florida Statutes; and
WHEREAS, the culmination of that review requires the approval, denial, or approval with conditions, of the above-referenced ADA;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County in regular session, duly assembled, this 31st day of August, 1982, that:

The above-referenced ADA is approved with conditions, as set forth in the following Development Order which is hereby adopted by the Board of County Commissioners:

BEACON WOODS EAST, DRI DEVELOPMENT ORDER

A. General Findings of Fact

The Board of County Commissioners of Pasco County makes the following general Findings of Fact:

1. Beacon Homes of Florida, Inc. hereinafter referred to as "Beacon Homes," in accordance with Section 380.06, Florida Statutes, has filed with Pasco County an ADA for Beacon Woods East Development of Regional Impact (DRI No. 79).
2. The Board of County Commissioners of Pasco County is the local government governing body having jurisdiction over the review and approval of said DRI in accordance with Section 380.06, Florida Statutes.
3. The Board of County Commissioners is in receipt of a sufficiency notification from the Tampa Bay Regional Planning Council, dated April 2, 1982.
4. The Board of County Commissioners has scheduled public hearings on the above-referenced ADA before the Pasco County Planning Commission and before the Board.
5. Notice of such notice has been published at least sixty (60) days prior to the date set for the Board hearing.
6. Both the Pasco County Planning Commission and the Board of County Commissioners have held public hearings on the above-referenced ADA on July 14, 1982, and July 27, 1982, respectively.

7. At said public hearings, 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 hearings, 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 Tampa Bay Regional Planning Council report on the above-referenced ADA.
10. The Board of County Commissioners has received and considered the recommendation of the Pasco County Planning Commission and various other reports and information, including but not limited to, the recommendation of the Pasco County Planning and Zoning staffs.
11. The real property involved in this proposed DRI is under the control of Beacon Homes, and a description of said real property is attached hereto as Exhibit "A" and made a part hereof by reference.
12. The nature, type, scope, intensity, density, costs, and general impact of the proposed Development of Regional Impact is that which is summarized on composite Exhibit "B" attached hereto and incorporated by reference herein. (TBRPC impact synopsis)
13. The land use designation for the area subject to the ADA is residential, commercial, and open space.
14. Zoning on the property which is subject to the ADA is Master Planned Unit Development (MPUD) and high density single family residential (R-4).

B. Specific Findings on Impact and Conditions Restricting Development.

1. Water Quantity and Drainage

Findings

The proposed project site has a maximum elevation of thirty-two feet (32') and a minimum elevation of four feet (4') above mean sea level. There are no free-flowing and surface waters on the Beacon Woods East site and surface water exists only in depressions, most of which intersect the water table or the artesian aquifer. Surface water levels reflect the rise and falls in groundwater levels which fluctuate with the seasons. The confining layer for the Floridan Aquifer appears absent in many areas of the site allowing hydraulic interaction between the two (2) aquifers.

The site of the proposed Beacon Woods East project contains approximately 1,246 acres and lies within three (3) major drainage basins. The south slope drains 384 acres, the east slope drains 288 acres, and the north slope drains 574 acres. An

Additional 394 off-site acres are drained by the east and north slopes. The site will contain 516 acres of impervious surfaces. Approximately 175 acres of the site will be used for retention/detention with a storage capacity of 551 acre feet.

The major elements of the proposed drainage system for Beacon Woods East development as conceptually presented in the ADA will include culverts, 175 acres of detention and retention areas, conservation areas, swales, the existing drainage systems of the completed areas which consist of storm drainage and retention/detention ponds, and a closed conduit storm sewer system. All final drainage plans must be approved by the Department of Environmental Regulation (DER) and Pasco County before implementation.

Major elements of the proposed Beacon Woods East Stormwater Management System include a detention system for the south slope completed by the end of Phase II, a retention area in the north and east slopes, and conservation and percolation pond areas. The developer is currently permitted by DER for direct discharge into one (1) of the sinkholes, runoff from storms exceeding a 10-year storm event. Runoff from storm events less than a 10-year magnitude are filtered before discharged into the sinkhole.

In an area of potentially high groundwater recharge, such as this, depth of proposed drainage lakes should be determined by soil borings and lineament intersections so that excavations not breach the limestone aquifer. An adequate depth of sand and clay soil formations should remain to allow for removal of pollutants before water filters in the groundwater system. It is recommended that prior to construction, specific lake design plans to include soil borings be provided to Pasco County and TBRPC for approval which will ensure that lake excavations will not breach the limestone aquifer and that adequate clay and soil formations will remain to allow the removal of pollutants before water filters into the groundwater system.

Conditions

- a. Prior to approval of the preliminary site plan containing the 821st unit, the developer shall undertake and provide the results to Pasco County and Tampa Bay Regional Planning Council of a study which is to determine the lineament intersections of greatest sinkhole potential occurrence on the south slope of the project site as defined by Exhibit 22-1 of the ADA. Prior to approval of the first preliminary site plan within the north and east slopes, as defined by said Exhibit 22-1, respectively, studies to determine the lineament intersections of greatest sinkhole potential occurrences within each of the slopes, respectively, shall be undertaken and the results

submitted as for the south slope. Based on the results of the study, Pasco County may require additional site specific subsurface testing and/or modifications to the development plan, provided, however, that previously platted areas shall not be required to be modified.

- b. The drainage system shall be designed as conceptually presented in the ADA, including the use of the existing topography, conservation areas, swales, culverts, and detention/retention areas. The entity responsible for maintenance of the drainage system in each increment (bubble) shall be determined during the review and approval of preliminary plans submitted for each increment. Unless waived by the Development Review Committee, the Beacon Woods East Homeowners Association shall be responsible for ownership and maintenance of the major drainage facilities in the bikeway/open space corridor.
- c. There shall be no lake excavation until specific lake design and construction plans have been submitted to Pasco County and TBRPC for review of possible effects on the groundwater system resulting from breaching of the limestone aquifer or removal of clays and soils during excavation that may allow pollutants to filter into the groundwater systems. The lake design and construction plans must be approved by Pasco County along with the subdivision and/or site plan construction drawings for any increment or portion thereof.
- d. Applicable drainage plans shall employ techniques designed to maintain predevelopment water levels and flow conditions in bayheads for support of existing bayhead vegetation. The entity responsible for maintenance of bayhead areas in each increment shall be determined during the review and approval of the preliminary plans submitted for that increment. For those areas outside the increments, the Beacon Woods East Homeowners Association or the developer shall be responsible for ownership and maintenance unless waived by the Development Review Committee, or unless the outside area is itself platted.

2. Wetlands

Findings

There are approximately 64.1 acres of wetlands on the site, consisting of freshwater marsh, cypress, and wet prairies.

Approximately eighty percent (80%) of the existing wetlands will be retained and incorporated into the development as scenic features and recreation and drainage

retention areas. The remaining twenty percent (20%) of the wetlands will be altered as a result of the development of Harper-Hamilton Road and the creation of lakes. Additional wetlands will be created, primarily as littoral edge around the approximately sixty-three (63) acres of new lakes created as a component of the drainage retention system.

There are 16.5 acres of cypress head swamps located on the project site. The cypress head in the north central section of the site will be crossed by the proposed Harper-Hamilton Road via an approved route that will approximately follow the existing power line easement. The bisected area will be linked by culverts designed to maintain appropriate water levels. Maintenance of the cypress area will be warranted in order that its biological integrity will be retained.

Conditions

- a. See Condition 1d (Water Quality and Drainage) of this Development Order.

3. Flood Plains

Findings

The areas of the proposed site that are within the 100-year flood plain are in majority wetlands and mostly will be used for drainage and conservation. However, approximately 722 residential units will be constructed within the 100-year flood plain. These structures will have first floor elevations above the 100-year flood plain elevation. Further, Pasco County is a participant in the Federal Flood Insurance Program.

Conditions

- a. The development shall comply with the National Flood Insurance Program.

4. Soils

Findings

The Beacon Woods East site is part of an area associated with an extensive dune field in northern Pasco and southern Hernando Counties characterized by regularly oriented mounds of sand contrasting with flat surrounding terrain and frequent hammocks and depressions. The site contains limestone strata in close proximity to surficial sands. Subsidence due to sinkhole activity is therefore a major concern and is more fully discussed in the next paragraph. Soils are of the Candler-Paola-Tavares Association which are characteristically excessively and moderately well-drained. Limitations of soil types will be corrected or improved by standard remedial measures such as fill placement under floor slabs, sodding to control erosion where slopes are steep, and flattened slopes, where possible to increase stability.

Beacon Woods East is proposed for construction in an area of Pasco County which has experienced sinkhole activity. In response to the Council's preliminary assessment concerns regarding this matter, the applicant has stated that:

"During a February 11, 1982, meeting with Bill Fehring, a member of a cave diving organization, who has explored the sinkhole caverns in the Beacon Woods development southwest and adjacent to Beacon Woods East, some unusual circumstances regarding sinkhole activity in this area of Pasco County were discussed.

a. The karst formations in this area of the County are rather old with well-defined caverns and sinkholes located in nondeveloped areas of the project. These sinkholes, in most cases, were already in depression areas which fall below the local water table.

b. The typical sinkhole profile in this area is a vertical shaft to a depth of approximately sixty feet (60') below ground where it branches out and follows lineaments running from northwest to southeast in line with the Bear Sink and Round Sink and running east to west from the Bear Sink to the Gulf of Mexico.

c. At this time, there is no knowledge that major connecting passages leads into Beacon Woods East. However, there is a theory that a passage may exist through to the north slope of Beacon Woods East connecting wetlands within Lakeside Woodlands with a sinkhole located in the out-parcel.

Because of the possibility of new active sinkholes in the Beacon Woods East site, the subsurface soils investigations prior to construction should include the most up-to-date methods for testing possible lineaments lying beneath the surface of the area to be developed. Isolated depressions identified on the topographic map should be explored for possible sinkhole activity prior to construction plan submittal."

The applicant further states that the Master Development Plan assigns minimal development to areas where depressions indicate possible subsidence activity. Most are retained as open space and/or drainage. As part of the Soils Testing Program that normally precedes construction, tests will be made at those sites where subsurface conditions are suspect to determine their suitability for construction.

It is recommended that the Development Order stipulate that the developer shall implement and provide to Pasco County and TBRPC a study to determine the lineament intersections of greatest sinkhole potential occurrence on the project site and shall complete any additional site specific subsurface testing, or development plan modifications as may be required by Pasco County.

Subsurface mineral deposits of sands and limestone bedrock are present, however, no plans for commercial mining are proposed. The TBRPC letter of June 4, 1982, had attached comments from the Department of Natural Resources indicating that the State of Florida holds mineral rights on a small portion of the site.

Conditions

- a. See Condition 1c (Water Quality and Drainage) and Condition 5a (Air Quality) of this Development Order.

5. Air Quality

Findings

The major source of air pollutants generated by the Beacon Woods East development will be those associated with vehicular traffic. It is estimated that the average daily vehicular air emission at build-out will be: 493 pounds of hydrocarbons, 1,132.2 pounds of nitrogen oxide, and 6,344.6 pounds of carbon monoxide.

A secondary source of air pollution will be fugitive dust during project construction and emissions from burning done during site clearing. Areas under construction will be larger during Phases II and III than during Phase I. The following erosion control measures were committed in the ADA, page 14-8:

- a. Designation of areas not well-suited for development as open space and re-creation.
- b. Phasing the development of the site so that large areas are not left bare and exposed for long periods.
- c. Minimal clearing and removing only undesirable trees wherever possible.
- d. Protecting critical areas by sodding steep slopes, seeding, mulching, and installing erosion control structures such as hay bales prior to construction.
- e. Providing for safe disposal of runoff, including the increased runoff resulting from construction.

Conditions

- a. The soil erosion and dust control measures proposed in the ADA, such as mulching, seeding, sodding, minimum site clearing, and use of hay bales shall be instituted during construction.

6. Natural Vegetation and Wildlife

Findings

The Beacon Woods East site is located in a pine sandhill vegetation association dominated by long leaf pines and turkey oak with a planted pine forest in the north-east portion.

Though no rare or endangered animals are known to exist on the site, a threatened species, the gopher tortoise, and two (2) species of special concern, the little blue heron and the Louisiana heron, have been observed on the site. It is appropriate to institute a Capture-Release Program for gopher tortoises located in areas proposed for development and should be referenced in the Development Order. The Development Order should also require that any threatened or endangered species found on-site should be reported to proper authorities. Further, the planned 52-acre conservation area should retain all plant communities in their natural state, including protection of understory vegetation and wildlife habitat.

As was noted in TBRPC's recommendation letter of June 4, 1982, the Florida Game and Freshwater Fish Commission stated that the Beacon Woods East site is a suitable habitat for the Florida scrub jay, which does populate the adjacent Beacon Woods golf course. The Florida Game and Freshwater Fish Commission recommends that the site be re-examined for the presence of scrub jays and to determine territorial ranges for preservation to the extent possible.

Conditions

- a. Should any threatened/endangered wildlife and vegetation species be found on-site, the known critical habitat shall be isolated, the proper authorities shall be contacted, and appropriate measures implemented to preserve the habitat, as deemed necessary.
- b. A capture-release program for gopher tortoises found on-site shall be instituted. The program and the means of implementing it must be submitted and approved by the Pasco County Development Review Committee (DRC) prior to the approval of the next preliminary plan.
- c. The Beacon Woods East site shall be re-examined for the presence of scrub jays. If present, the developer will preserve their habitat to the greatest extent possible. The results of this re-examination shall be submitted to Pasco County prior to the approval of the next preliminary plan.

7. Historical and Archaeological Sites

Findings

The Florida Master Site File contains no recorded archaeological or historic sites on the property. Because of the high probability of aboriginal sites occurring in hardwood hammocks found on the property, a resources survey of the property was conducted. The results of the survey show that no prehistoric or historic sites are located in the vicinity of the five (5) hammock areas. TBRPC received a letter from the Florida Department of State Bureau of Historic Sites and Properties, concurring with these findings and stating that the project may proceed without further involvement.

Conditions

- a. Should any significant historical or archaeological site be discovered during construction, the proper authorities shall be immediately notified and their recommendation for preservation and excavation will be implemented.

8. Water Supply

Findings

At build-out, it is estimated that the average daily demand for potable water at Beacon Woods East will be 1.58 MGD. Potable water will be supplied to the development by Pasco County via an existing twelve-inch (12") water main along Fivay Road.

The estimated nonpotable water demand for Beacon Woods East is expected to be 0.37 MGD at project completion. Nonpotable water will be utilized for bikeway and open space irrigation and will be supplied by private on-site wells to be installed by the developer. The internal potable water distribution system will be operated and maintained by Pasco County.

The ADA contains a letter from the Pasco County Utilities Department confirming the County's ability to serve the proposed development through build-out in 1992. Service will be provided in accordance with the existing utility service agreement presented in the ADA.

Conditions

- a. In the event it becomes necessary, the developer shall be responsible for extending and/or expanding the existing water distribution within the development site. In addition, if any on-site potable water wells are constructed, the County will maintain and operate such wells.

9. Wastewater

Findings

It is estimated that the average daily flow of wastewater from the Beacon Woods East development will be 1,091,700 gallons per day (1.09 MGD) at build-out. All wastewater generated by the proposed development will be characteristic of domestic wastewater.

Wastewater treatment will be provided by Pasco County at the Beacon Woods Wastewater Treatment Plant or an interim plant on-site in accordance with the terms of an existing service agreement with Pasco County. This treatment plant has a capacity of 1.2 MGD and is currently operating at a level of 672,000 gallons per day, including approximately 87,000 gallons per day from the existing development at Beacon Woods East. The plant's current capacity is expected to accommodate the existing development at Beacon Woods East, all of Phase I, and 968 units of Phase II for a total of 1,772 units. However, due to anticipated sewer connections into this plant from other subdivisions within the vicinity of Beacon Woods, the developer will dedicate ten (10) acres of land within the Beacon Woods East project for an interim wastewater treatment plant and percolation ponds. The County will be responsible for maintenance and operation of the interim plant. Once a subregional plant is constructed and operational the sewerage, from the interim plant and the undeveloped balance of Beacon Woods East will be treated at the new facility. The interim plant would then be removed.

Conditions

- a. . The County shall construct an interim wastewater treatment plant which, when operational, will serve all new units within the DRI; including all approved and undeveloped units unless otherwise agreed to by the County Utilities Department, until such time service is available from a County Subregional Wastewater Treatment Plant other than the Beacon Woods Plant. When service from the subregional plant is available, the developer shall be required to utilize such plant and construct at its cost all lines or improvements necessary to utilize such plant at its own cost or on a shared-cost basis with other developer(s) utilizing such lines or improvements. Such interim wastewater treatment plant shall be constructed on a 10-acre site located within the DRI and dedicated to the County by the developer. When the use of the plant site is discontinued by the County, it shall revert to the developer's use and ownership.

10. Solid Waste

Findings

It is estimated that the average daily solid waste to be generated by Beacon Woods East will be 21.3 tons/day at build-out. Solid waste will be collected by Hatcher's Disposal, Inc., and the ADA contains a letter from Hatcher's confirming its ability to provide collection services to the Beacon Woods East development.

If necessary, solid waste generated by this development will be disposed of at a private landfill site utilized by Hatcher's Disposal, Inc. Pasco County is currently in the process of establishing a regional sanitary landfill north of the project site, but this site may not become available until after project development begins.

Conditions

- a. Each new preliminary or site plan approval will be contingent upon the developer submitting a letter from the Pasco County Environmental Control Division, reflecting that adequate solid waste disposal capacity is available to serve the number of units contained within the preliminary site plan.

11. Energy

Findings

Beacon Woods East's electrical energy demand is projected to average 154,759 kilowatt hours per day upon project completion. Peak demand is projected to be 29,760 kilowatts at build-out. All electrical service will be provided by Withlacoochee River Electric Cooperative. The ADA contains a letter from the Withlacoochee River Electric Cooperative indicating its expected excess capacities and ability to provide electrical service to the proposed development "pending governmental and public regulation regarding the expansion of electrical facilities." It will be necessary for Withlacoochee River Electric Cooperative to expand its existing facilities, and therefore, must obtain the necessary approvals, environmental permits, and right-of-way acquisitions which are not yet in process. It is, therefore, recommended that the Development Order reference a firm commitment by Withlacoochee River Electric Cooperative to provide service to all phases of the proposed development.

Energy conservation measures will be incorporated into the overall design of Beacon Woods East. Residential units at the proposed development will be constructed in accordance with the Florida Energy Efficiency Building Code. Beacon Woods East will provide on-site neighborhood shopping facilities which will reduce the need for vehicular travel.

Conditions

- a. Preliminary or site plan approval of each new phase will be contingent upon the developer presenting a letter to the County from Withlacoochee Electric Cooperative, Inc. reflecting that the Cooperative has the ability to provide service to that phase receiving preliminary or site plan approval.

The energy conservation measures proposed in the ADA, such as heat exchangers, sodium vapor street lamps, use of recycled products, landscaping techniques, and bike paths, shall be implemented.

12. Transportation

Findings

Beacon Woods East is proposed for construction in west central Pasco County, east of U.S. 19 on Fivay Road. Fivay Road is the major roadway directly serving the project site. The western coastal area of Pasco County is undergoing an unprecedented period of growth with numerous residential developments under construction or proposed.

Presently, most roadways surrounding the site are operating at an acceptable Level of Service C or D peak hour. The only roadways operating below Level of Service C are portions of U.S. 19, S.R. 52, U.S. 41, and C.R. 587A. These are operating at a daily Level of Service D and E.

The DRI/ADA includes an analysis of transportation impacts for each phase of the development within the area bounded as follows:

- o U.S. 19 (S.R. 55) on the west,
- o C.R. 578 (County Line Road) on the north,
- o U.S. 41 (S.R. 45) on the east, and
- o C.R. 587 on the south.

Few improvements are scheduled for roadways in this area. The Florida Department of Transportation (FDOT) has scheduled widening of U.S. 19 to six (6) lanes from the Pinellas/Pasco County line to Fivay Road. FDOT is presently studying the feasibility of upgrading U.S. 41 from two (2) to four (4) lanes. Construction is not programmed.

The applicant has provided a letter from Pasco County indicating plans for an extension to Harper-Hamilton Road through the northern portion of the property as well as an extension to Fivay Road. Eventual construction of these roadway extensions will alleviate conditions on the existing network. However, since plans have not been finalized and no funding has yet been committed for the Harper-Hamilton and/or the Fivay Extension, the recommendations included in this report to miti-

gate traffic concerns generated by this proposed development referred to those needed to maintain an acceptable level of service on the existing roadway network. The analysis in the DRI/ADA indicates that the level of service on nearly all roadways will be below Level of Service C in 1987 and at Level of Service E in 1992. In addition, Pasco County's transportation planning is in the beginning stages, and therefore, the County has not yet formulated a plan to identify, prioritize, and implement necessary roadway improvements. Reflecting this need, the TBRPC has required that an interim transportation plan be implemented for the West Pasco area as part of several previous DRI reports, i.e., The Lakes, Pointe West, River Ridge, and Beacon Villages.

Conditions

- a. Pasco County shall develop a West Pasco Interim Transportation Improvements Plan (ITIP) in cooperation with the Tampa Bay Regional Planning Council, the Florida Department of Transportation, the New Port Richey/West Pasco Metropolitan Planning Organization, and the developers in the study area. The ITIP shall be consistent in content with the methodology required for the adoption of a formal transportation improvements plan and shall include:
 - (1) An evaluation of existing and future levels of service on the regionally significant roadways in West Pasco County. All existing, approved, and projected development in the area will be considered in this evaluation.
 - (2) Proposed improvements to existing regionally significant roadways which are required in order to maintain a Level of Service C (Level of Service D in peak hours) or other acceptable Level of Service identified in any adopted ITIP on such roadways.
 - (3) Proposed new transportation corridors or roadways which will be needed to contribute to the maintenance of a Level of Service C (Level of Service D in peak hours) or other acceptable Level of Service identified in any adopted ITIP on existing regionally significant roadways.
 - (4) An assessment of traffic impacts from existing, approved, and projected development will be assessed.
 - (5) The procedures by which mass transit will be studied as a viable alternative for alleviating overburdening of regionally significant roadways.

(6) A formula or mathematical expression for allocating the proportionate share of the cost of improvements of the transportation system in West Pasco County. Such formula or mathematical expression may also be adopted, alternatively, by County Ordinance. The mathematical expression may take into account:

- (a) The number of external trips generated at the reasonably expected buildout level by each DRI on the specific regionally significant roadway links identified in the report of the Tampa Bay Regional Planning Council for each DRI (Exhibit D);
- (b) The number of trips which can be maintained at Level of Service C (Level of Service D³ in peak hours) or other acceptable Level of Service identified in any adopted ITIP on each specific improved regionally significant roadway identified in the report of the Tampa Bay Regional Planning Council (capacity) for each DRI (Exhibit D);
- (c) The improvements and cost of improvements of each specific regionally significant roadway identified in the report of the Tampa Bay Regional Planning Council for each DRI (Exhibit D);
- (d) A method for adjusting the proportionate share to reflect increases or decreases in prices due to inflation or deflation;
- (e) Assignments of specific roadway improvements to be constructed by the developer of each DRI based upon the DRI's proportionate share of the cost of such improvements of regionally significant roadways as such improvements are specified in the report of the Tampa Bay Regional Planning Council for each DRI (Exhibit D);
- (f) Designation of the timing or sequence for construction of specific roadway improvements by the developers of each DRI;
- (g) An adjustment or other credit where other funding sources are used to construct an improvement which is otherwise assigned to the DRI developer by the ITIP;
- (h) An adjustment or other credit to the proportionate share of the DRI developer for tax revenues to be contributed by the developer subsequent to construction on the basis of a ratio between the total dollar amount of tax revenues devoted to road

improvements in the County budget and the dollar amount of the entire County budget.

(i) Similar factors for other undeveloped and developing lands in western Pasco County.

(j) Impacts on other roads in western Pasco County.

b. General Conditions

- (1) If the following roadway segments fall below Level of Service C (D at peak hour) or other acceptable Level of Service identified in the ITIP (or future ITIP) and/or the TBRPC Growth Policy, Future of the Region, the County shall not approve any further site plans or preliminary plans within the DRI beyond 1800 units until such time as the developer, the County, or other entities make commitments to improve the roadways in a manner sufficient to restore said roadways to a Level of Service C (D in peak hours) or other acceptable Level of Service identified in the ITIP (or future revised ITIP):
- (a) Fivay Road from U.S. 19 to S.R. 52.
 - (b) S.R. 52 from U.S. 19 to Hicks Road.
 - (c) Plaza Drive (CR-1) from S.R. 52 to Ridge Road.
 - (d) After it has been constructed, Fivay Road Extension from Fivay Road to the northern boundary of the project.
 - (e) After it has been constructed, Harper-Hamilton Road from the east boundary of the project to U.S. 19.

- (2) The developer shall, prior to the completion of the first 1800 units and prior to the completion of each additional 1200 units thereafter, periodically perform an updated traffic analysis covering the external trips generated by the existing and approved development, plus the next projected phase or portion thereof for which the developer is seeking approval. The analysis shall be related to the then current existing and committed transportation systems. The traffic analysis shall be prepared in a format similar to that contained in the ADA, shall be in accordance with generally accepted traffic engineering practices, and shall be validated by a Transportation Planning Agency designated by the County. In addition, the traffic analysis may indicate alternative transportation improvements or mechanisms which, when implemented, will offset the transportation impacts of the DRI. The findings of this validated traffic analysis, when approved by

the County and TBRPC, shall replace the original DRI traffic analysis as presented in the ADA for all development up to the latest phase of development which is analyzed in the analysis. The findings of the validated traffic analysis may also be utilized by the County in any formula established in the TTIP for calculating the current proportionate share of the developer for the cost of the regionally significant improvements specified in the report of the Tampa Bay Regional Planning Council (Exhibit D) and associated improvement construction assignments designated for the developer.

- (3) The developer shall dedicate or donate, to the County, right-of-way sufficient to provide a total minimum width indicated below along the following roads where said roads adjoin or traverse the project and where the road frontage has not passed from the control of the developer due to prior platting.

- (a) Fivay Road Extension (120 feet in width)
- (b) Harper-Hamilton Road (120 feet in width for open drainage and 100 feet in width for closed drainage)
- (c) Fivay Road (right-of-way sufficient to construct a four-lane urban arterial road)

The developer shall deed or otherwise dedicate the right-of-way in accordance with the Master PUD Conditions of Approval.

- (4) The developer shall construct Harper-Hamilton Road and Fivay Road Extension within the DRI as two-lane, off-center roads.
- (5) The developer shall construct an additional two lanes on Fivay Road Extension and Harper-Hamilton Road when warranted by any validated traffic analysis submitted pursuant to Subparagraph (2) above which indicates that such internal roads will fall below Level of Service C (Level of Service D at peak hours) after completion of the next contemplated phase of development.
- (6) The developer shall construct right and left turn stacking lanes at all intersections of major roadways constructed by the developer, unless said condition is waived by the Development Review Committee (DRC).

- (7) In the event the developer chooses to construct the office complex in a phase earlier than that presented in the ADA (Phase 2), the developer shall submit a revised transportation analysis to the County

and FRRPC, and be subject to the imposition of additional transportation conditions prior to preliminary/site plan approval.

- (8) The developer shall construct right turn lanes on Fivay Road (Plaza Drive) north and south of S.R. 52 prior to the approval of preliminary/site plan containing the 821st unit, unless a commitment for, or the construction of said improvement is made by others.
- (9) The developer shall provide landscape buffering along Fivay Road, Fivay Road Extension, and Harper-Hamilton Road which adjoin or traverse the boundaries of the project. On previously platted developments where no landscape buffering exists, if the County provides the land, the developer shall provide the landscape buffering as part of the road construction.
- (10) Prior to the submittal of construction plans for the roadway improvements for Fivay Road Extension and Harper-Hamilton Road, a geometric alignment and typical street cross section must be approved by the County. Immediately following the approval of construction plans by the County, the developer shall donate to the County right-of-way for Harper-Hamilton Road and Fivay Road Extension of at least 120' in width, for the entire length of such roads within and abutting the project except where the road frontage has passed from the control of the developer due to prior platting or where the developer commits to construct urban closed drainage.
- (11) Only one bike path and one sidewalk shall be constructed along all major collector/ arterial roads within the project as designated in the Master P.U.D. Plan (except along Fivay Road, where only one bike path will be required). The required bike path along Fivay Road from Woodbine Drive to Fivay Road Extension shall be constructed as part of the intersection of Fivay Road and Fivay Road Extension. A DRC approved pedestrian path and bicycle path plan would supercede this requirement along some or all of these roads.
- (12) For the purposes of these conditions, all references to a specific number of dwelling units include the 599th unit for which record plats have been approved prior to the date of adoption of this Development Order.

c. Transportation Improvement Alternatives - The Beacon Woods East development will have a substantial negative impact on several regionally sig-

nificant highway facilities within the primary impact area identified in the ADA. Roadway improvements required to mitigate the negative impact of this proposed development on transportation facilities have been identified in the ADA. The two alternatives which follow are measures which may mitigate the negative transportation impact associated with the Beacon Woods East DRI. One of these two alternatives must be implemented by the County and/or the developer.

ALTERNATIVE I

- (1) Commitments for the following roadway improvements shall be made by Pasco County or other entity before development approval shall be issued by the County beyond 2,549 units (Phase 2).
 - (a) Widen U.S. 19 to a six-lane divided arterial from Fivay Road to County Line Road, referenced as needed in the ADA. Beacon Woods East contributes 14% of the Level of Service "C" traffic in 1987.
 - (b) Widen U.S. 19 to a six-lane expressway from S.R. 52 to Fivay Road, referenced as needed in the ADA. Beacon Woods East contributes 13% of the Level of Service "C" traffic in 1987.
 - (c) Widen Fivay Road to a four-lane divided arterial from the south entrance of Beacon Woods East to S.R. 52, referenced as needed in the ADA. Beacon Woods East contributes 107% of the Level of Service "C" traffic in 1987.
 - (d) Widen S.R. 52 to a six-lane divided arterial from U.S. 19 to Colony Road, referenced as needed in the ADA. Beacon Woods East contributes 30 to 31% of the Level of Service "C" traffic in 1987.
 - (e) Widen S.R. 52 to a four-lane arterial from Colony Road to U.S. 41, referenced as needed in the ADA. Beacon Woods East contributes 5 to 37% of the Level of Service "C" traffic in 1987.
 - (f) Widen Plaza Drive to a four-lane arterial from S.R. 52 to C.R. 587A, referenced as needed in the ADA. Beacon Woods East contributes 20 to 24% of the Level of Service "C" traffic in 1987.

- (g) Add appropriate through and turn lanes to the intersection of S.R. 52 and Fivay Road, referenced as needed in the ADA. Beacon Woods East contributes 29% of the peak hour traffic in 1987.
- (h) Add appropriate through and turn lanes to the intersection of U.S. 19 and S.R. 52, referenced as needed in the ADA. Beacon Woods East contributes 10% of the 1987 peak hour traffic.
- (i) Add appropriate through and turn lanes to the intersection of Plaza Drive and Ridge Road, referenced as needed in the ADA. Beacon Woods East contributes 5% of the 1987 peak hour traffic.
- (j) Add appropriate through and turn lanes to the intersection of U.S. 19 and S.R. 587A (Ridge Road), referenced as needed in the ADA. Beacon Woods East contributes 8% of the 1987 peak hour traffic.
- (k) Add appropriate through and turn lanes to the intersection of U.S. 19 and Fivay Road, referenced as needed in the ADA. Beacon Woods East contributes 14% of the 1987 peak hour traffic.
- (l) Add appropriate through and turn lanes to the intersection of Fivay Road and the north access road to Beacon Woods East, referenced as needed in the ADA. Beacon Woods East contributes 67% of the 1987 peak hour traffic.
- (m) Add appropriate through and turn lanes to the intersection of Fivay Road and the south access road to Beacon Woods East (Clayton Boulevard), referenced as needed in the ADA. Beacon Woods East contributes 59% of the 1987 peak hour traffic.
- (n) Widen Fivay Road to a six-lane divided arterial from the south entrance road to Beacon Woods East to S.R. 52, referenced as needed in the ADA. Beacon Woods East contributes 164% of the Level of Service "C" traffic in 1992.
- (o) Widen Little Road to a four-lane divided arterial from C.R. 587A (Ridge Road) to C.R. 587, referenced as needed in the ADA. Beacon Woods East contributes 23% of the Level of Service "C" traffic in 1992.

- (p) Add appropriate turn lanes to the intersection of S.R. 52 and Fivay Road, referenced as needed in the ADA. Beacon Woods East contributes 29% of the 1992 peak hour traffic.
- (q) Add appropriate through lanes to the intersection of U.S. 19 and S.R. 52, referenced as needed in the ADA. Beacon Woods East contributes 11% of the 1992 peak hour traffic.
- (r) Add appropriate through and turn lanes to the intersection of U.S. 19 and C.R. 578, referenced as needed in the ADA. Beacon Woods East contributes 5% of the 1992 peak hour traffic.
- (s) Add appropriate through lanes to the intersection of Plaza Drive and Ridge Road, referenced as needed in the ADA. Beacon Woods East contributes 8% of the 1992 peak hour traffic.
- (t) Add appropriate through and turn lanes to the intersection of U.S. 19 and C.R. 587A, referenced as needed in the ADA. Beacon Woods East contributes 8% of the 1992 peak hour traffic.
- (u) Add appropriate through and turn lanes to the intersection of U.S. 19 and Fivay Road, referenced as needed in the ADA. Beacon Woods East contributes 13% of the 1992 peak hour traffic.
- (v) Add appropriate turn lanes to the intersection of Fivay Road and the north access road to Beacon Woods East, referenced as needed in the ADA. Beacon Woods East contributes 56% of the 1992 peak hour traffic.
- (w) Add appropriate turn lanes to the intersection of Fivay Road and the south access road to Beacon Woods East needed in the ADA. Beacon Woods East contributes 49% of the 1992 peak hour traffic.

ALTERNATIVE II

- (1) Upon the adoption of this Development Order, the developer shall commence preparation of construction plans of roadway links and geometric design of intersections and shall complete same by the following dates for the following facilities:

- (a) by the first anniversary date of the adoption of this development order, for:
- (1) Harper-Hamilton Road within the Beacon Woods East project site in general conformance to the Master Planned Unit Development Plan, four-lane divided roadway, with initial construction of two lanes offset;
 - (2) the intersection of U.S. 19, Fivay Road and Harper-Hamilton Road; and
 - (3) the intersection of Harper-Hamilton Road and Fivay Road Extension.
- (b) by the second anniversary date of the adoption of this development order, for:
- (1) Fivay Road Extension from existing Fivay Road on the south to the northern boundary of the Beacon Woods East project site in general conformance to the Master Planned Unit Development Plan, four-lane divided roadway, with initial construction of two lanes offset; and
 - (2) the intersection of existing Fivay Road and Fivay Road Extension.
- (2) The developer shall begin construction of the following two-lane improvements in accordance with plans approved by the County prior to the date or the approval of the record plat or final construction site plan containing the unit indicated below, whichever is sooner:
- (a) Harper-Hamilton Road from the east project boundary line to U.S. Highway 19 by the 1500th unit or by December 31, 1984;
 - (b) Fivay Road Extension from existing Fivay Road on the south to the northern boundary of the Beacon Woods East project site by the 2200th unit or by December 31, 1986, which requirement shall supercede the prior commitment to construct that portion of said road south of Shadberry Lane required as a condition of preliminary plan approval of Woodward Village Subdivision.
 - (c) Said roads shall be completed within one year of the commencement of construction.

- (d) The right-of-way for the improvements shall be made available by the County in a timely manner for all land not under control by the developer. Where required right-of-way is not available when construction is to be commenced pursuant to the provisions of this Development Order, the County shall allow 100 additional units beyond the limit established for such commencement. The County shall continue the same extension every six months for all subsequent submittals for approval until said right-of-way is available and construction can begin.
- (3) At the option of the County and upon adoption of the ITIP, any future revised ITIP, or County road impact fee ordinances by the County, the provisions of Alternative II shall be complied with to the exclusion of Alternative I, and the County may direct that the developer:
- (a) continue with the planning and construction of the improvements identified in Paragraph 2 of this Alternative II, provided that the developer be given credits, as specified in Paragraph 4 of this Alternative II against impact fees imposed by ordinance or resolution, for all costs expended in planning and constructing such improvements; or
- (b) complete all contractual obligations undertaken to that point in planning and constructing the improvements identified in Paragraph 2 of this Alternative II, and thereafter, pay impact fees as imposed by ordinance or resolution to the extent and in the same manner as such fees are imposed on other developers subject to such fees, provided, however, that the developer shall be given credits, as specified in Paragraph 4 of this Alternative II against impact fees imposed by ordinance or resolution, for all costs expended in planning and constructing improvements to the point of completion of the contractual obligations already undertaken.
- (4) Costs of planning and construction of the improvements identified in Paragraph 2 of this Alternative II shall be allowed as credits toward any required road impact fees for the full amount expended after adoption of this Development Order on Fivay Road Extension and for one-half the amount expended after adoption of this Development Order, on Harper-Hamilton Road. For purposes of this Development

cost of planning and construction does include interest during the period of construction only, not to exceed twelve (12) months.

13. Recreation and Open Space

Findings

The Master Development Plan for Beacon Woods East designates 240.3 acres, or nineteen percent (19%) of the total site, for recreational and open space uses. The Beacon Woods East development will feature four (4) park sites totaling thirteen (13) acres, a bikeway/open space network, three (3) recreation facility sites, and buffer strips along all major roadways in and adjacent to the project site.

All recreation and open space areas in the proposed development will be owned, operated, and maintained by a homeowners association for use by project residents. It is recommended that maintenance responsibility for all recreation and open space areas be assigned in the Development Order.

Conditions

- a. Prior to approval of the next preliminary plan, a plan shall be submitted to the DRC which outlines the entities who will own and maintain the recreation and open space areas. The plan shall depict the areas each entity is to own and maintain, along with a general time schedule for transfer of ownership and responsibility. Unless waived by the DRC, the Beacon Woods East Homeowners Association shall be responsible for ownership and maintenance of the bikeway/open space corridor.

14. Educational Facilities

Findings

The proposed Beacon Woods East development is designed primarily to provide housing for the retirees market. A total of 634 school age children are expected to reside at Beacon Woods East at build-out. The developer has agreed to convey a 15-acre site for an elementary school to the Pasco County School Board. A letter provided from the Pasco County Superintendent of Public Schools cites the need for the following capital improvements: (1) one elementary school site and the construction of a half ($\frac{1}{2}$) size elementary school; and (2) construction of approximately eleven (11) classrooms as additions to existing secondary schools.

Conditions

- a. The developer shall donate to the County School District a minimum 15-acre school site. The time of donation is to be determined by the developer and the School District, but this donation shall not be later than July, 1990. The donation shall be by deed, which may contain a clause providing for reversion

of the site to the extent that it is not constructed thereon within five (5) years after the date of donation.

15. Health Care

Findings

No specific on-site medical or health care facilities are planned for the Beacon Woods East development. The new Bayonet Point Regional Medical Center, located on Fivay Road adjacent to the project site, currently has a 200-bed patient capacity. In addition, two (2) other hospitals and four (4) nursing or convalescent homes are also located within the West Pasco area. Emergency medical services will be provided by Pasco County from several existing stations in the West Pasco area.

Conditions

- a. See Condition 16 below (Fire Protection).

16. Fire Protection

Findings

Fire protection services will be provided by the Pasco County Fire Department. Beacon Woods East will be served by Station No. 100, located approximately one-half (½) mile west of the project site with a response time of two (2) minutes. The developer has agreed to reserve a 2.6-acre site for public service use, which may include fire protection or emergency medical services.

Conditions

- a. The developer shall donate to the County \$25 per dwelling unit for public safety facilities and equipment in lieu of the 2.6-acre community service site (PS-1) as shown on the Master P.U.D. Plan. This rate shall remain until such time as the County establishes such impact fees. These funds shall be donated prior to approval of the record plat or the final site construction drawings (multifamily) used for the issuance of building permits. The 2.6-acre site may have the same land use as either the adjoining professional office (P-1) or Commercial (C-1) increments. This will thus change the allowable commercial/professional office acreage from 60.6 to 63.2 and the total commercial/professional gross floor area from 740,000 square feet to 770,000 square feet.

17. Police Protection

Findings

Police protection services will be provided by the Pasco County Sheriff's Department with its main office located on Moon Lake Road in New Port Richey. The current response time for a priority call is approximately five (5) minutes. No on-

site police action services, facilities, or s will be dedicated or otherwise provide at Beacon Woods East. A letter from the Pasco County Sheriff's Department has been submitted with the ADA, verifying the ability of Pasco County to provide adequate police protection services to the proposed development.

Conditions

- a. None.

18. Housing

Findings

The proposed Beacon Woods East development will contain approximately 4,483 units at build-out in 1992. The proposed development is planned to consist of a variety of housing types, including single family detached, villa, quadplex, and rental apartment units. According to the ADA, the applicant intends to develop and construct all residential units with necessary improvements completed.

The primary marketing effort will be directed at retiree households vacationing within the Tampa Bay Region. Approximately ten percent (10%) of all units will be second homes. At build-out, it is estimated that eighty-five percent (85%) of all households will be retirement households. The net and gross residential densities for the proposed development at build-out will be 5.2 and 3.6 units/acre.

Conditions

- a. None.

19. Economy

Findings

Land development and construction expenditures for Beacon Woods East are expected to total over \$226 million over the 12-year development period. Approximately ninety percent (90%) of these expenditures will be spent in the Tampa Bay Region. The construction labor force associated with this project is expected to average 340 persons over the development period, including approximately 306 people from the regional labor force. At project completion, an estimated 2,000 permanent jobs will be created with an annual payroll of nearly \$25 million. In addition, approximately \$3.1 million per year in ad valorem taxes will be generated by build-out.

The proposed development will result in a loss of sixty-four (64) acres of planted pines and thirty (30) acres of improved pasture. These areas are located in the northeast portion of the site and are not scheduled for development until Phase III (1988-92).

Conditions

- a. None.

20. Office Parks

Findings

A site of approximately twenty-nine (29) acres at Beacon Woods East is proposed for development of professional office and/or medical uses associated with the adjacent Bayonet Point Regional Medical Center. The 29-acre site offers the potential to accommodate approximately 300,000 square feet of gross floor area of office space. At this time, final consideration has not been given to the actual development and/or disposition of the office property or to prospective tenancy. The expansion of health care facilities or related activities from the adjacent Bayonet Point Regional Medical Center is considered a possible use for all or a portion of the subject site.

Traffic generated by an office complex of this size will be considerable. Therefore, should the developer propose to construct the office complex earlier than presented in the ADA, a revised transportation analysis should be required subject to additional conditions of approval.

Conditions

- a. See Condition 12.b.(7) Transportation of this Development Order.

C. Conclusions of Law

The Board of County Commissioners hereby finds as follows:

1. The Beacon Woods East DRI will not unreasonably interfere with the achievement of the objectives of the State Land Development Plan, if any, applicable to the area encompassed in ADA;
2. The development is consistent with local land development regulations;
3. The development is consistent with the report and recommendations of the Regional Planning Agencies;
4. The development is not in an area of critical state concern.

D. General Conditions Restricting Development

1. Development of the area embraced by the ADA shall be governed by the standards and procedural provisions of adopted comprehensive plans, elements thereof, and land development regulations.
2. Construction of all improvements shall be governed by applicable County building, plumbing, electrical, energy, and other codes or regulations.
3. Installation of public facilities shall conform to regulations established in County codes or ordinances establishing such regulations.

F. Monitoring Procedures

1. The local official responsible for monitoring the Beacon Woods East Development of Regional Impact shall be the Director of Community Development.

F. Duration

1. This development order shall take effect on August 31, 1982.
2. The duration of the development order shall be a period of twelve (12) years, provided that the effective period may be extended by the Board upon a showing of good cause.

G. Annual Report

1. Beacon Homes shall provide an annual report to the official responsible for monitoring the DRI, the Tampa Bay Regional Planning Council, and the state land planning agency on August 31st of each year during the term of the development order. The report shall include, at a minimum, the following information:
 - a. Any changes in the proposed plan of development;
 - b. Description of the development activities which have occurred over the previous year, including a summary of the number, type, and location of residential units and commercial structures;
 - c. A description of development activity proposed for the next year;
 - d. A statement setting forth names and addresses of any assignees or successors in interest to this development order.

H. Amendment/Substantial Deviations

All proposed substantial and material changes to a Development of Regional Impact for which a development order has been approved shall be submitted to the Board of County Commissioners for a substantial deviation determination prior to implementation of such changes by the developer. As used in this paragraph, the term substantial deviation means any change to a previously approved Development of Regional Impact which creates a reasonable likelihood of additional significant adverse regional impacts or any other significant regional impact which was not previously reviewed by the Board of County Commissioners or the Regional Planning Agency.

The following types of changes to the approved D.R.I. development shall require submission for a substantial deviation determination:

1. Any proposed plans which differ substantially from an approved Master Site Plan or Master Drainage Plan.
2. Any plan which does not substantially conform to or implement the conditions set forth in this development order.

Prior to amending any provision in this development or issuing any substantial deviation determination, the County shall provide Tampa Bay Regional Planning Council with reasonable notice

of its intent to consider such an amendment. Such notice shall be reasonably calculated to permit Tampa Bay Regional Planning Council to appear at the public hearing or present written comments on the proposed change prior to the effective date of the amendment or change.

I. Effect of Development Order/ADA

1. The requirements of and conditions imposed by this development order shall constitute regulations or restrictions which restrict the development of the property described in Exhibit "A" attached hereto. Following the adoption of this development order, all plans for development on the referenced property shall be consistent with the conditions and restrictions recited in this development order. Such regulations and restrictions shall be binding upon all successors in interest to any of the parties hereto.
2. All development of the property subject to this development order shall substantially conform to the ADA filed by Beacon Homes, unless otherwise modified by the provisions of this development order. Said ADA is attached hereto as Exhibit "C".

J. Miscellaneous Provisions

1. A Notice of Adoption of this Resolution shall be filed and recorded in the Public Records of Pasco County, Florida, in accordance with Section 380.06(14)(a), Florida Statutes, and the development order contained herein shall govern the development of the Beacon Woods East DRI.
2. The County Attorney is hereby authorized and directed to cause a certified copy hereof to be served on the State Land Planning Agency, the Tampa Bay Regional Planning Council, and upon attorneys of record in these proceedings for Beacon Homes.
3. Funds collected from fees imposed under this development order shall be placed in separate trust accounts for each type of capital improvement for which the fee was collected, including education facilities and public safety facilities. Thereafter monies collected shall be used solely for the expansion of such capital improvements necessitated by the impacts of the development approved in the development order.

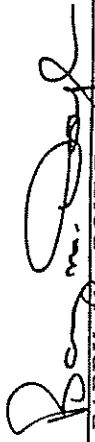
K. Severability

It is declared to be the intent of the Board of County Commissioners of Pasco County Florida, that if any section, subsection, sentence, clause, or provision of this Resolution is held invalid the remainder of the Resolution shall be construed as not having contained said section, subsection sentence, clause, or provision, and shall not be effected by such holding.

DONE AND RESOLVED this 31st day of AUGUST, 1982.

(SEAL)

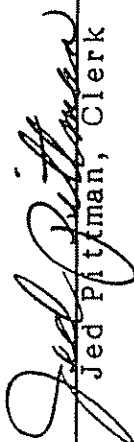
BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

BY: 
BARRY M. DOYLE, CHAIRMAN

ATTEST:

APPROVED AS TO FORM AND LEGALITY
Office of the County Attorney


Attorney


Jed Pittman, Clerk

By: Mercedes Moore, DC

STATE OF FLORIDA
COUNTY OF PASCO
THIS IS TO CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE
IN MY OFFICE. WITNESS MY HAND AND OFFICIAL
SEAL THIS 1st day of Sept 1982
JED PITTMAN, CLERK CIRCUIT COURT
BY: Mercedes Moore DC

LEGAL DESCRIPTION

The Southwest 1/4 of Section 25, Township 24 South, Range 16 East, Pasco County, Florida

and
The South 1/2 of Section 25, Township 24 South, Range 16 East, Pasco County, Florida

and
That portion of the South 1/2 of the Southeast 1/4 of Section 27, Township 24 South, Range 16 East, Pasco County, Florida, lying North and East of the Easterly right-of-way line of Fivay Road

and
That portion of Section 34, Township 24 South, Range 16 East, Pasco County, Florida, lying Northeasterly of the Easterly right-of-way line of Fivay Road.

and
That portion of Section 35, Township 24 South, Range 16 East, Pasco County, Florida, lying Northeasterly of the Easterly right-of-way line of Fivay Road.

and
Tracts 8, 13, 14, 17, thru 25 and 29 of Port Richey Land Company Subdivision of Section 36, Township 24 South, Range 16 East, as shown on plat recorded in Plat Book 1, pages 60 and 61 of the Public Records of Pasco County, Florida

and
That portion of Section 2, Township 25 South, Range 16 East, Pasco County, Florida, lying North and East of the Easterly right-of-way line of Fivay Road.

Less and Except

The West 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Southeast 1/4 of said Section 27, Township 24 South, Range 16 East.

and
A portion of the Southwest 1/4 of the Southeast 1/4 of said Section 27, Township 24 South, Range 16 East, and a portion of the North 1/2 of the Northeast 1/4 of said Section 34, Township 24 South, Range 16 East, all in Pasco County, Florida, being further described as follows:

Commence at the Southwest corner of the Southwest 1/4 of the Southeast 1/4 of said Section 27; thence run along the West boundary line of the Southwest 1/4 of the Southeast 1/4 of said Section 27, N 0°39'20" E, a distance of 669.42 feet to the Southwest corner of the Northwest 1/4 of the Southwest 1/4 of the Southeast 1/4 of said Section 27; thence along the South boundary line of the Northwest 1/4 of the Southwest 1/4 of the Southeast 1/4 of said Section 27, S 89°44'10" E, a distance of 40.00 feet to the Easterly right-of-way line of Fivay Road as it is now established for a POINT OF BEGINNING; thence continue along the South boundary line of the Northwest 1/4 of the Southwest 1/4 of the Southeast 1/4 of said Section 27, S 89°44'10" E, a distance of 291.91 feet to the Southeast corner of the West 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Southeast 1/4 of said Section 27; thence along the East boundary line of the West 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Southeast 1/4 of said Section 27, N 0°38'53" E, a distance of 588.62 feet to a point lying 80.00 feet South of the North boundary line of the Southwest 1/4 of the Southeast 1/4 of said Section 27, said 80.00 feet being measured at right angles to the North boundary line of the Southwest 1/4 of the Southeast 1/4 of said Section 27; thence parallel with the North boundary line of the Southwest 1/4 of the Southeast 1/4 of said Section 27, S 89°30'51" E, a distance of 650.00 feet; thence parallel with the East boundary line of the West 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Southeast 1/4 of said Section 27, S 0°38'53" W, a distance of 1,944.94 feet to the Easterly right-of-way line of said Fivay Road; thence along the Easterly right-of-way line of said Fivay Road, the following courses and distances: a distance of 52.33 feet along the arc of a curve to the right, said curve having a radius of 960.00 feet and a chord of 52.32 feet which bears N 31°21'12" W; N 29°47'31" W, a distance of 365.24 feet; a distance of 303.96 feet along the arc of a curve to the left, said curve having a radius of 740.00 feet and a chord of 301.83 feet which bears N 41°33'34" W; N 53°19'37" W, a distance of 263.78 feet; a distance of 715.84 feet along the arc of a curve to the right to the POINT OF BEGINNING, said curve having a radius of 760.00 feet and a chord of 689.67 feet which bears N 26°20'38" W.

Also, less and except from the above described property any lands lying Southerly of the following described line:

Commence at the Northeast corner of Section 2, Township 25 South, Range 16 East; thence S 1°11'37" W along the East line of said Section 2, for 2065.27 feet, to the POINT OF BEGINNING; thence N 88°48'23" W, for 288.27 feet along said line, to the Easterly right-of-way of Fivay Road for a point of termination, said line also being the South line of BEACON RIDGE WOODBINE VILLAGE TRACT "A" as recorded in Plat Book 17, pages 77 and 78, of the Public Records of Pasco County, Florida.

Also, less any rights-of-way of record.

Summary of Impacts

<u>Total Development Area:</u>	1,246 Acres (Total)
Residential:	863 Acres
Commercial/Office:	63.2 Acres
Recreation/Open Space:	240 Acres
Community Services:	15.4 Acres
Other:	63 Acres
<u>Total Protected Population:</u>	9,400
<u>Number of Dwelling Units:</u>	4,483
<u>Average Price Range:</u>	\$60,000 - \$70,000 (1981 dollars)
<u>Estimated Project Construction Expenditures:</u>	\$257,300,000
<u>Estimated Cumulative Ad Valorem Tax Yield:</u>	\$3,100,000

<u>Water Supply:</u>	
<u>Estimated Daily Water Requirement at Build-Out</u>	1,575,700 Gallons Per Day
Potable:	374,300 Gallons Per Day
Non-Potable:	1,950,000 Gallons Per Day
Total:	

<u>Sewage Treatment:</u>	
<u>Estimated Average Daily Flows at Build-Out:</u>	1,091,700 Gallons Per Day

<u>Solid Waste:</u>	
<u>Estimated Average Daily Generation at Build-Out:</u>	21.3 Tons/Day

<u>Energy:</u>	
<u>Projected Average Daily Electrical Requirement at Build-Out:</u>	15,759 Kilowatt Hours
Peak Demand:	29,760 Kilowatts

Primary Transportation Network:

<u>Percentage of Average Daily Traffic Attributed to Development at Build-Out in 1992</u>			
<u>% of Total Daily Traffic</u>	<u>Build-Out Daily Trips</u>	<u>Build-Out LOS</u>	<u>Existing 1980-81 LOS</u>
<u>Flivay Road (Immediately south of the development)</u>			
Plaza Drive	30,673	E	B
Moon Lake Road	17,592-18,224	E	B
SR 52	21,865	E	C
US 19	17,504-39,437	E	B-E
CR 587	50,778-100,973	E	B-D
CR 587A	4,820-16,290	B-E	A-C
	22,634	E	D

Build-Out:

1992

EXHIBIT "D"

The following roadway improvements were found to be needed to maintain Level of Service C by the time of Beacon Woods East's build-out (approximately 1992).

1. Widen U.S. 19 to a six-lane divided arterial from Fivay Road to County Line Road, referenced as needed in the ADA.
2. Widen U.S. 19 to a six-lane expressway from S.R. 52 to Fivay Road, referenced as needed in the ADA.
3. Widen Fivay Road to a four-lane divided arterial from the south entrance of Beacon Woods East to S.R. 52, referenced as needed in the ADA.
4. Widen S.R. 52 to a six-lane divided arterial from U.S. 19 to Colony Road, referenced as needed in the ADA.
5. Widen S.R. 52 to a four-lane arterial from Colony Road to U.S. 41, referenced as needed in the ADA.
6. Widen Plaza Drive to a four-lane arterial from S.R. 52 to C.R. 587A, referenced as needed in the ADA.
7. Add appropriate through and turn lanes to the intersection of S.R. 52 and Fivay Road, referenced as needed in the ADA.
8. Add appropriate through and turn lanes to the intersection of U.S. 19 and S.R. 52, referenced as needed in the ADA.
9. Add appropriate through and turn lanes to the intersection of Plaza Drive and Ridge Road, referenced as needed in the ADA.
10. Add appropriate through and turn lanes to the intersection of U.S. 19 and S.R. 587A (Ridge Road), referenced as needed in the ADA.
11. Add appropriate through and turn lanes to the intersection of U.S. 19 and Fivay Road, referenced as needed in the ADA.
12. Add appropriate through and turn lanes to the intersection of Fivay Road and the north access road to Beacon Woods East, referenced as needed in the ADA.
13. Add appropriate through and turn lanes to the intersection of Fivay Road and the south access road to Beacon Woods East (Clayton Boulevard), referenced as needed in the ADA.
14. Widen Fivay Road to a six-lane divided arterial from the south entrance road to Beacon Woods East to S.R. 52, referenced as needed in the ADA.
15. Widen Little Road to a four-lane divided arterial from C.R. 587A (Ridge Road) to C.R. 587, referenced as needed in the ADA.

16. Add appropriate turn lanes to the intersection of S.R. 52 and Fivay Road, referenced as needed in the ADA.
17. Add appropriate through lanes to the intersection of U.S. 19 and S.R. 52, referenced as needed in the ADA.
18. Add appropriate through and turn lanes to the intersection of U.S. 19 and C.R. 578, referenced as needed in the ADA.
19. Add appropriate through lanes to the intersection of Plaza Drive and Ridge Road, referenced as needed in the ADA.
20. Add appropriate through and turn lanes to the intersection of U.S. 19 and C.R. 587A, referenced as needed in the ADA.
21. Add appropriate through and turn lanes to the intersection of U.S. 19 and Fivay Road, referenced as needed in the ADA.
22. Add appropriate turn lanes to the intersection of Fivay Road and the north access road to Beacon Woods East, referenced as needed in the ADA.
23. Add appropriate turn lanes to the intersection of Fivay Road and the south access road to Beacon Woods East needed in the ADA.



JED PITTMAN

CLERK OF CIRCUIT COURT, PASCO COUNTY, DADE CITY, FLORIDA 33525

DADE CITY
(904) 521-4542
(813) 949-3854
SUNCOM: 595-4545
NEW PORT RICHEY
(813) 847-8181

March 21, 1989

Ms. Susan Cooper
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, Fl. 33702-2491

Dear Ms. Cooper:

Enclosed are copies of the DRI's that you requested for
#79 The Lakes and Beacon Woods East. #79

If you have any questions, please contact me at the below
listed telephone number.

Sincerely,

Jed Pittman
J. Norman Eastman, Jr.

JED PITTMAN
CLERK TO THE BOARD

JP/nje

Enclosures

*Collect -
Please incorporate
into Deft's
Master Deft's*

67 #

RESOLUTION ADOPTING A DEVELOPMENT ORDER
APPROVING, WITH CONDITIONS, THE BEACON
WOODS EAST DEVELOPMENT OF REGIONAL
IMPACT.

WHEREAS, Beacon Homes of Florida, Incorporated, has filed an Application for Development Approval (ADA) with the Pasco County Planning and Zoning staff; and

WHEREAS, the ADA has been received in accordance with Chapter 380.06, Florida Statutes and

WHEREAS, the culmination of that review requires the approval, denial, or approval with conditions, of the above-referenced ADA;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County in regular session, duly assembled, this 31st day of August, 1982, that:

The above-referenced ADA is approved with conditions, as set forth in the following Development Order which is hereby adopted by the Board of County Commissioners:

BEACON WOODS EAST, DRI DEVELOPMENT ORDER

A. General Findings of Fact

The Board of County Commissioners of Pasco County makes the following general Findings

of Fact:

1. Beacon Homes of Florida, Inc. hereinafter referred to as "Beacon Homes," in accordance with Section 380.06, Florida Statutes, has filed with Pasco County an ADA for Beacon Woods East Development of Regional Impact (DRI No. 79).
2. The Board of County Commissioners of Pasco County is the local government governing body having jurisdiction over the review and approval of said DRI in accordance with Section 380.06, Florida Statutes.
3. The Board of County Commissioners is in receipt of a sufficiency notification from the Tampa Bay Regional Planning Council, dated April 2, 1982.
4. The Board of County Commissioners has scheduled public hearings on the above-referenced ADA before the Pasco County Planning Commission and before the Board.
5. Notice of such notice has been published at least sixty (60) days prior to the date set for the Board hearing.
6. Both the Pasco County Planning Commission and the Board of County Commissioners have held public hearings on the above-referenced ADA on July 14, 1982, and July 27, 1982, respectively.

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your knowledge of the following described line:

commenced at the northeast corner of Section 2, Township 23 South, Range 18 East, T12N23S, R18E, 37th & 38th Streets, Gainesville, Florida, to the center of the corner of Section 2, Range 18 East, T23N23S, R18E, 37th & 38th Streets, Gainesville, Florida, and on the 23rd day of May, 1937, the said plat was duly recorded in the Public Records of the County of Marion, Florida, in Book 10, Page 100.

4110. 1015 Bay Highway of Record.

7. At said hearings, 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 hearings, 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 Tampa Bay Regional Planning Council report on the above-referenced ADA.
10. The Board of County Commissioners has received and considered the recommendation of the Pasco County Planning Commission and various other reports and information, including but not limited to, the recommendations of the Pasco County Planning and Zoning staffs.
11. The real property involved in this proposed DRI is under the control of Beacon Homes, and a description of said real property is attached hereto as Exhibit "A" and made a part hereof by reference.
12. The nature, type, scope, intensity, density, costs, and general impact of the proposed Development of Regional Impact is that which is summarized on composite Exhibit "B" attached hereto and incorporated by reference hereinto. (THRPC impact synopsis)
13. The land use classification of the area subject to the ADA is residential, commercial, and open space.
14. Zoning on the property which is subject to the ADA is Master Planned Unit Development (MPUD) and high density single family residential (R-4).

B. Specific Findings of Impact and Conditions Restricting Development.

1. Water Quantity and Drainage

Findings

The proposed project site has a maximum elevation of thirty-two feet (32') and a minimum elevation of four feet (4') above mean sea level. There are no free-flowing and surface waters on the Beacon Woods East site and surface water exists only in depressions, most of which intersect the water table of the artesian aquifer. Surface water levels reflect the rise and falls in groundwater levels which fluctuate with the seasons. The confining layer for the Floridan Aquifer appears absent in many areas of the site allowing hydraulic interaction between the two (2) aquifers.

The site of the proposed Beacon Woods East project contains approximately 1,246 acres and lies within three (3) major drainage basins. The south slope drains 384 acres, the east slope drains 288 acres, and the north slope drains 574 acres. An

additional 394 of the area are drained by the east and north slopes. The site will contain 518 acres of impervious surfaces. Approximately 175 acres of the site will be used for retention/detention with a storage capacity of 551 acre feet.

The major elements of the proposed drainage system for Beacon Woods East development as conceptually presented in the ADA will include culverts, 175 acres of detention and retention areas, conservation areas, swales, the existing drainage systems of the completed areas which consist of storm drainage and retention/detention ponds, and a closed conduit storm sewer system. All final drainage plans must be approved by the Department of Environmental Regulation (DER) and Pasco County before implementation.

Major elements of the proposed Beacon Woods East Stormwater Management System include a detention system for the south slope completed by the end of Phase II, a retention area in the north and east slopes, and conservation and detention pond areas. The developer is currently permitted by DER for direct discharge into one (1) of the sinkholes, runoff from storms exceeding a 10-year storm event. Runoff from storm events less than a 10-year magnitude are filtered before discharged into the sinkhole.

In an area of potentially high groundwater recharge, such as this, depth of proposed drainage basins should be determined by soil borings and lineament intersections so that excavations not breach the limestone aquifer. An adequate depth of sand and gravel formations should remain to allow for removal of pollutants before water filters in the groundwater system. It is recommended that prior to construction, specific lake design plans to include soil borings be provided to Pasco County and TBPRC for approval which will ensure that lake excavations will not breach the limestone aquifer and that adequate clay and soil formation will remain to allow the removal of pollutants before water filters into the groundwater system.

Conditions

- a. Prior to approval of the preliminary site plan containing the 821st unit, the developer shall undertake and provide the results to Pasco County and Tampa Bay Regional Planning Council of a study which is to determine the lineament intersections of greatest sinkhole potential occurrence on the south slope of the project site as defined by Exhibit 22-1 of the ADA. Prior to approval of the first preliminary site plan within the north and east slopes, as defined by said Exhibit 22-1, respectively, studies to determine the lineament intersections of greatest sinkhole potential occurrences within each of the slopes, respectively, shall be undertaken and the results

submitted as for the south slope. Based on the results of the study, Pasco County may require additional site specific subsurface testing and/or modifications to the development plan, provided, however, that previously platted areas shall not be required to be modified.

b. The drainage system shall be designed as conceptually presented in the ADA, including the use of the existing topography, conservation areas, swales, culverts, and detention/retention areas. The entity responsible for maintenance of the drainage system in each increment (bubble) shall be determined during the review and approval of preliminary plans submitted for each increment. Unless waived by the Development Review Committee, the Beacon Woods East Homeowners Association shall be responsible for ownership and maintenance of the major drainage facilities in the boulevard/open space corridor.

c. There shall be no lake excavation until specific lake design and construction plans have been submitted to Pasco County and THRPC for review of possible effects on the groundwater system resulting from breaching of the limestone aquifer or removal of clays and soils during excavation that may allow pollutants to filter into the groundwater systems. The lake design and construction plans must be approved by Pasco County along with the subdivision and/or site plan construction drawing for an increment or portion thereof.

d. Applicable drainage plans shall employ techniques designed to maintain predevelopment water levels and flow conditions in bayheads for support of existing bayhead vegetation. The entity responsible for maintenance of bayhead areas in each increment shall be determined during the review and approval of the preliminary plans submitted for that increment. For those areas outside the increments, the Beacon Woods East Homeowners Association or the developer shall be responsible for ownership and maintenance unless waived by the Development Review Committee, or unless the outside area is itself platted.

2. Wetlands

Findings

There are approximately 64.1 acres of wetlands on the site, consisting of freshwater marsh, cypress, and wet prairies.

Approximately eighty percent (80%) of the existing wetlands will be retained and incorporated into the development as scenic features and recreation and drainage

retention -- --. The remaining twenty percent (20%) of the wetland. All be altered as a result of the development of Harper-Hamilton Road and the creation of lakes. Additional wetlands will be created, primarily as littoral edge around the approximately sixty-three (63) acres of new lakes created as a component of the drainage retention system.

There are 16.5 acres of cypress head swamps located on the project site. The cypress head in the north central section of the site will be crossed by the proposed Harper-Hamilton Road via an approved route that will approximately follow the existing power line easement. The bisected area will be linked by culverts designed to maintain appropriate water levels. Maintenance of the cypress area will be warranted in order that its biological integrity will be retained.

Conditions

- a. See Condition 1d (Water Quality and Drainage) of this Development Order.

3. Flood Plains

Findings

The areas of the proposed site that are within the 100-year flood plain are in majority wetlands and mostly will be used for drainage and conservation. However, approximately 722 residential units will be constructed within the 100-year flood plain. These structures will have first floor elevations above the 100-year flood plain elevation. Further, Pasco County is a participant in the Federal Flood Insurance Program.

Conditions

- a. The development shall comply with the National Flood Insurance Program.

4. Soils

Findings

The Beacon Woods East site is part of an area associated with an extensive dune field in northern Pasco and southern Hernando Counties characterized by regularly oriented mounds of sand contrasting with flat surrounding terrain and frequent hammocks and depressions. The site contains limestone strata in close proximity to surficial sands. Subsidence due to sinkhole activity is therefore a major concern and is more fully discussed in the next paragraph. Soils are of the Candier-Paslar-Tavares Association which are characteristically excessively and moderately well-drained. Limitations of soil types will be corrected or improved by standard remedial measures such as fill placement under floor slabs, sodding to control erosion where slopes are steep, and flattened slopes, where possible to increase stability.

Beacon Woods East is proposed for construction in an area of Pasco County which has experienced sinkhole activity. In response to the Council's preliminary assessment concerns regarding this matter, the applicant has stated that:

"During a February 11, 1982, meeting with Bill Petring, a member of a caving organization, who has explored the sinkhole caverns in the Beacon Woods development southwest and adjacent to Beacon Woods East, some unusual circumstances regarding sinkhole activity in this area of Pasco County were discussed.

" The karst formations in this area of the County are rather old with well-defined caverns and sinkholes located in nondeveloped areas of the project. These sinkholes, in most cases, were already in depression areas which fall below the local water table.

b. The typical sinkhole profile in this area is a vertical shaft to a depth of approximately sixty feet (60') below ground where it branches out and follows lineaments running from northwest to southeast in line with the Bear Sink and Round Sink and running east to west from the Bear Sink to the Gulf of Mexico.

c. At this time, there is no knowledge that major connecting passages leads into Beacon Woods East. However, there is a theory that a passage may exist through to the north slope of Beacon Woods East connecting wetlands within Lakeside Woodlands with a sinkhole located in the out-parcel.

Because of the possibility of new active sinkholes in the Beacon Woods East site, the subsurface soils investigations prior to construction should include the most up-to-date methods for testing possible lineaments lying beneath the surface of the area to be developed. Isolated depressions identified on the topographic map should be explored for possible sinkhole activity prior to construction plan submission."

The applicant further states that the Master Development Plan assigns minimal development to areas where depressions indicate possible subsidence activity. Most are retained as open space and/or drainage. As part of the Soils Testing Program that normally precedes construction, tests will be made at those sites where subsidence conditions are suspect to determine their suitability for construction.

It is recommended that the Development Order stipulate that the developer shall implement and provide to Pasco County and TBRPC a study to determine the lineament intersections of greatest sinkhole potential occurrence on the project site and shall complete any additional site specific subsurface testing, or development plan modifications as may be required by Pasco County.

Subsurface mineral deposits of sands and limestone bedrock are present, however, no plans for commercial mining are proposed. The TBRPC letter of June 4, 1982, had attached comments from the Department of Natural Resources indicating that the State of Florida holds mineral rights on a small portion of the site.

Conditions

- a. See Condition 1c (Water Quality and Drainage) and Condition 5a (Air Quality) of this Development Order.

5. Air Quality

Findings

The major source of air pollutants generated by the Heacon Woods East development will be those associated with vehicular traffic. It is estimated that the average daily vehicular air emission at build-out will be: 493 pounds of hydrocarbons, 1,122.2 pounds of nitrogen oxide, and 6,344.6 pounds of carbon monoxide.

A secondary source of air pollution will be fugitive dust during project construction and emissions from burning done during site clearing. Areas under construction will be larger during Phases II and III than during Phase I. The following erosion control measures were recommended in the ADA, page 14-8:

- a. Designation of areas not well-suited for development as open space and recreation.
- b. Phasing the development of the site so that large areas are not left bare and exposed for long periods.
- c. Minimal clearing and removing only undesirable trees wherever possible.
- d. Protecting critical areas by sodding steep slopes, seeding, mulching, and installing erosion control structures such as hay bales prior to construction.
- e. Providing for safe disposal of runoff, including the increased runoff resulting from construction.

Conditions

- a. The soil erosion and dust control measures proposed in the ADA, such as mulching, seeding, sodding, minimum site clearing, and use of hay bales shall be instituted during construction.

6. Natural Vegetation and Wildlife

Findings

The Beacon Woods East site is located in a pine sandhill vegetation association dominated by long leaf pines and turkey oak with a planted pine forest in the north-east portion.

Though no rare or endangered animals are known to exist on the site, a threatened species, the gopher tortoise, and two (2) species of special concern, the little blue heron and the Louisiana heron, have been observed on the site. It is appropriate to institute a Capture-Release Program for gopher tortoises located in areas proposed for development and should be referenced in the Development Order. The Development Order should also require that any threatened or endangered species found on-site should be reported to proper authorities. Further, the planned 52-acre conservation area should retain all plant communities in their natural state, including protection of understory vegetation and wildlife habitat.

As was noted in TBRPC's recommendation letter of June 4, 1982, the Florida Game and Freshwater Fish Commission stated that the Beacon Woods East site is a suitable habitat for the Florida scrub jay, which does populate the adjacent Beacon Woods golf course. The Florida Game and Freshwater Fish Commission recommends that the site be re-examined for the presence of scrub jays and to determine potential ranges for preservation to the extent possible.

Conditions

- a. Should any threatened/endangered wildlife and vegetation species be found on-site, the known critical habitat shall be isolated, the proper authorities shall be contacted, and appropriate measures implemented to preserve the habitat, as deemed necessary.
- b. A capture-release program for gopher tortoises found on-site shall be instituted. The program and the means of implementing it must be submitted and approved by the Pasco County Development Review Committee (DRC) prior to the approval of the next preliminary plan.
- c. The Beacon Woods East site shall be re-examined for the presence of scrub jays. If present, the developer will preserve their habitat to the greatest extent possible. The results of this re-examination shall be submitted to Pasco County prior to the approval of the next preliminary plan.

7. Historical and Archaeological Sites

Findings

The Florida Master Site File contains no recorded archaeological or historic sites on the property. Because of the high probability of aboriginal sites occurring in hardwood hammocks found on the property, a resources survey of the property was conducted. The results of the survey show that no prehistoric or historic sites are located in the vicinity of the five (5) hammock areas. THRPC received a letter from the Florida Department of State Bureau of Historic Sites and Properties, concurring with these findings and stating that the project is proceeding without further involvement.

Conditions

- a. Should any significant historical or archaeological site be discovered during construction, the proper authorities shall be immediately notified and their recommendation for preservation and excavation will be implemented.

Water Supply

Findings

At build-out, it is estimated that the average daily demand for potable water at Swenson Woods East will be 1.54 MGID. Potable water will be supplied to the development by Pasco County, via an existing twelve-inch (12") water main along Five.

The estimated nonpotable water demand for Swenson Woods East is expected to be 0.17 MGID at build-out. Nonpotable water will be utilized for bikeway and on-site irrigation and will be supplied by private on-site wells to be installed by the developer. The internal potable water distribution system will be operated and maintained by Pasco County.

The ADA contains a letter from the Pasco County Utilities Department confirming the County's ability to serve the proposed development through build-out in 1992. Service will be provided in accordance with the existing utility service agreement presented in the ADA.

Conditions

- a. In the event it becomes necessary, the developer shall be responsible for extending and/or expanding the existing water distribution within the development site. In addition, if any on-site potable water wells are constructed, the County will maintain and operate such wells.

Findings

It is estimated that the average daily flow of wastewater from the Beacon Woods East development will be 1,091,700 gallons per day (1.09 MGD) at build-out. All wastewater generated by the proposed development will be characteristic of domestic wastewater.

Wastewater treatment will be provided by Pasco County at the Beacon Woods Wastewater Treatment Plant or an interim plant on-site in accordance with the terms of an existing service agreement with Pasco County. This treatment plant has a capacity of 1.2 MGD and is currently operating at a level of 672,000 gallons per day, including approximately 87,000 gallons per day from the existing development at Beacon Woods East. The plant's current capacity is expected to accommodate the existing development at Beacon Woods East, all of Phase I, and 968 units of Phase II for a total of 1,772 units. However, due to anticipated sewer connections into this plant from other subdivisions within the vicinity of Beacon Woods, the developer will dedicate ten (10) acres of land within the Beacon Woods East project for an interim wastewater treatment plant and percolation ponds. The County will be responsible for maintenance and operation of the interim plant. Once a subregional plant is constructed and operational the sewerage, from the interim plant and the undeveloped balance of Beacon Woods East will be treated at the new facility. The interim plant would then be removed.

Conditions

- a. The County shall construct an interim wastewater treatment plant which, when operational, will serve all new units within the DRI; including all approved and undeveloped units unless otherwise agreed to by the County Utilities Department, until such time service is available from a County Subregional Wastewater Treatment Plant other than the Beacon Woods Plant. When service from the subregional plant is available, the developer shall be required to utilize such plant and construct at its cost all lines or improvements necessary to utilize such plant at its own cost or on a shared-cost basis with other developer(s) utilizing such lines or improvements. Such interim wastewater treatment plant shall be constructed on a 10-acre site located within the DRI and dedicated to the County by the developer. When the use of the plant site is discontinued by the County, it shall revert to the developer's use and ownership.

10. Solid Waste

Findings

It is estimated that the average daily solid waste to be generated by Beacon Woods East will be 21.3 tons/day at build-out. Solid waste will be collected by Hatcher's Disposal, Inc., and the ADA contains a letter from Hatcher's confirming its ability to provide collection services to the Beacon Woods East development.

If necessary, solid waste generated by this development will be disposed of at a private landfill site utilized by Hatcher's Disposal, Inc. Pasco County is currently in the process of establishing regional sanitary landfill north of the project site, but this site may not become available until after project development begins.

Conditions

- a. Each new preliminary or site plan approval will be contingent upon the developer submitting a letter from the Pasco County Environmental Control Division reflecting that adequate solid waste disposal capacity is available to serve the number of units contained within the preliminary site plan.

11. Energy

Findings

Beacon Woods East's electrical energy demand is projected to average 154,759 kilowatt-hours per day upon project completion. Peak demand is projected to be 29,760 kilowatts at build-out. All electrical service will be provided by Withlacoochee River Electric Cooperative. The ADA contains a letter from the Withlacoochee River Electric Cooperative indicating its expected excess capacities and ability to provide electrical service to the proposed development "pending governmental and public regulation regarding the expansion of electrical facilities." It will be necessary for Withlacoochee River Electric Cooperative to expand its existing facilities, and therefore, must obtain the necessary approvals, environmental permits, and right-of-way acquisitions which are not yet in process. It is, therefore, recommended that the Development Order reference a firm commitment by Withlacoochee River Electric Cooperative to provide service to all phases of the proposed development.

Energy conservation measures will be incorporated into the overall design of Beacon Woods East. Residential units at the proposed development will be constructed in accordance with the Florida Energy Efficiency Building Code. Beacon Woods East will provide on-site neighborhood shopping facilities which will reduce the need for vehicular travel.

Conditions

- a. Preliminary or site plan approval of each new phase will be contingent upon the developer presenting a letter to the County from Withlacoochee Electric Cooperative, Inc. reflecting that the Cooperative has the ability to provide service to that phase receiving preliminary or site plan approval.
The energy conservation measures proposed in the ADA, such as heat exchangers, sodium vapor street lighting, use of recycled products, landscaping techniques, and bike paths, shall be implemented.

12. Transportation

Findings

Beacon Woods East is proposed for construction in west central Pasco County, east of U.S. 19 on Fivay Road. Fivay Road is the major roadway directly serving the project site. The western coastal area of Pasco County is undergoing an unprecedented period of growth with numerous residential developments under construction or proposed.

Presently, most roadways surrounding the site are operating at an acceptable Level of Service C or D peak hour. The only roadways operating below Level of Service C are portions of U.S. 19, S.R. 57, U.S. 41, and C.R. 587A. These are operating at a Daily Level of Service D and E.

The DRI/ADA includes an analysis of transportation impacts for each phase of the development within the area bounded as follows:

- U.S. 19 (S.R. 57) on the west,
- o C.R. 578 (County Line Road) on the north,
- o U.S. 41 (S.R. 45) on the east, and
- o C.R. 587 on the south.

Few improvements are scheduled for roadways in this area. The Florida Department of Transportation (FDOT) has scheduled widening of U.S. 19 to six (6) lanes from the Pinellas/Pasco County line to Fivay Road. FDOT is presently studying the feasibility of upgrading U.S. 41 from two (2) to four (4) lanes. Construction is not programmed.

The applicant has provided a letter from Pasco County indicating plans for an extension to Harper-Hamilton Road through the northern portion of the property as well as an extension to Fivay Road. Eventual construction of these roadway extensions will alleviate conditions on the existing network. However, since plans have not been finalized and no funding has yet been committed for the Harper-Hamilton and/or the Fivay Extension, the recommendations included in this report to miti-

go to traffic concerns generated by this proposed development relieve those needed to maintain an acceptable level of service on the existing roadway network. The analysis in the DRI/ADA indicates that the level of service on nearly all roadways will be below Level of Service C in 1987 and at Level of Service E in 1992. In addition, Pasco County's transportation planning is in the beginning stages, and therefore, the County has not yet formulated a plan to identify, prioritize, and implement necessary roadway improvements. Reflecting this need, the TDRPC has required that an interim transportation plan be implemented for the West Pasco area as part of several previous DRI reports, i.e., The Lakes, Pointe West, River Ridge, and Beacon Villages.

Conditions

- a. Pasco County shall develop a West Pasco Interim Transportation Improvement Plan (ITIP) in cooperation with the Tampa Bay Regional Planning Council, the Florida Department of Transportation, the New Port Richey/West Pasco Metropolitan Planning Organization, and the developers in the study area. The ITIP shall be consistent in content with the methodology required for the adoption of a formal transportation improvements plan and shall include:
 - (1) An evaluation of existing and future levels of service on the regionally significant roadways in West Pasco County. All existing, approved, and projected development in the area will be considered in this evaluation.
 - (2) Proposed improvements to existing regionally significant roadways which are required in order to maintain a Level of Service C (Level of Service D in peak hours) or other acceptable Level of Service identified in any adopted ITIP on such roadways.
 - (3) Proposed new transportation corridors or roadways which will be needed to contribute to the maintenance of a Level of Service C (Level of Service D in peak hours) or other acceptable Level of Service identified in any adopted ITIP on existing regionally significant roadways.
 - (4) An assessment of traffic impacts from existing, approved, and projected development will be assessed.
 - (5) The procedures by which mass transit will be studied as a viable alternative for alleviating overburdening of regionally significant roadways.

(6) A. As a mathematical expression for allocating the proportionate share of the cost of improvements of the transportation system in West Pasco County. Such formula or mathematical expression may also be adopted, alternatively, by County Ordinance. The mathematical expression may take into account:

- (a) The number of external trips generated at the reasonably expected buildout level by each DRI on the specific regionally significant roadway links identified in the report of the Tampa Bay Regional Planning Council for each DRI (Exhibit D);
- (b) The number of trips which can be maintained at Level of Service C (Level of Service D in peak hours) or other acceptable Level of Service identified in any adopted ITIP on each specific improved regionally significant roadway identified in the report of the Tampa Bay Regional Planning Council (capacity) for each DRI (Exhibit D);
- (c) The improvements and cost of improvements of each specific regionally significant roadway identified in the report of the Tampa Bay Regional Planning Council for each DRI (Exhibit D);
- (d) A method for adjusting the proportionate share to reflect increases or decreases in prices due to inflation or deflation;
- (e) Assignments of specific roadway improvements to be constructed by the developer of each DRI based upon the DRI's proportionate share of the cost of such improvements of regionally significant roadways as such improvements are specified in the report of the Tampa Bay Regional Planning Council for each DRI (Exhibit D);
- (f) Designation of the timing or sequence for construction of specific roadway improvements by the developers of each DRI;
- (g) An adjustment or other credit where other funding sources are used to construct an improvement which is otherwise assigned to the DRI developer by the ITIP;
- (h) An adjustment or other credit to the proportionate share of the DRI developer for tax revenues to be contributed by the developer subsequent to construction on the basis of a ratio between the total dollar amount of tax revenues devoted to road

improvements in the County budget and the dollar amount of the entire County budget.

- (i) Similar factors for other undeveloped and developing lands in western Pasco County.
- (j) Impacts on other roads in western Pasco County.

General Conditions

- (1) If the following roadway segments fall below Level of Service C (D at peak hour) or other acceptable Level of Service identified in the ITIP (or future ITIP) and/or the TBRPC Growth Policy, Future of the Region, the County shall not approve any further site plans or preliminary plans within the DRL beyond 1800 units until such time as the developer, the County, or other entities make commitments to improve the roadways in a manner sufficient to restore said roadways to a Level of Service C (D) in peak hours) or other acceptable Level of Service identified in the ITIP (or future revised ITIP):

- (a) Fivay Road from U.S. 19 to S.R. 52.
- (b) S.R. 52 from U.S. 19 to Hicks Road.
- (c) Fivay Road (from S.R. 52 to Ridge Road.
- (d) After it has been constructed, Fivay Road Extension from Fivay Road to the northern boundary of the project.
- (e) After it has been constructed, Harner-Hamilton Road from the east boundary of the project to U.S. 19.

- (2) The developer shall, prior to the completion of the first 1800 units and prior to the completion of each additional 1200 units thereafter, periodically perform an updated traffic analysis covering the external trips generated by the existing and proposed development, plus the next projected phase or portion thereof for which the developer is seeking approval. The analysis shall be related to the then current existing and committed transportation systems. The traffic analysis shall be prepared in a format similar to that contained in the ADA, shall be in accordance with generally accepted traffic engineering practices, and shall be validated by a Transportation Planning Agency designated by the County. In addition, the traffic analysis may indicate alternative transportation improvements or mechanisms which, when implemented, will offset the transportation impacts of the DRL. The findings of this validated traffic analysis, when approved by

the County and TBRPC, shall replace the original DRI traffic study as presented in the ADA for all development up to the latest phase of development which is analyzed in the analysis. The findings of the validated traffic analysis may also be utilized by the County in any formula established in the RTP for calculating the current proportionate share of the developer for the cost of the regionally significant improvements specified in the report of the Tampa Bay Regional Planning Council (Exhibit D) and associated improvement construction assignments designated for the developer.

- (3) The developer shall dedicate or donate, to the County, right-of-way sufficient to provide a total minimum width indicated below along the following roads where said roads adjoin or traverse the project and where the road frontage has not passed from the control of the developer due to prior platting.

- (a) Fivay Road Extension (170 feet in width)
- (b) Harper-Hamilton Road (120 feet in width for open drainage and 100 feet in width for closed drainage)
- (c) Fivay Road (right-of-way sufficient to construct a four-lane urban arterial road)

The developer shall deed or otherwise dedicate the right-of-way in accordance with the Master PUD Conditions of Approval.

- (4) The developer shall construct Harper-Hamilton Road and Fivay Road Extension with the DRI as two-lane, off-center roads.
- (5) The developer shall construct an additional two lanes on Fivay Road Extension and Harper-Hamilton Road when warranted by any validated traffic analysis submitted pursuant to Subparagraph (2) above which indicates that such internal roads will fall below Level of Service "D" (Level of Service "D" at peak hours) after completion of the next contemplated phase of development.
- (6) The developer shall construct right and left turn stacking lanes at all intersections of major roadways constructed by the developer, unless said condition is waived by the Development Review Committee (DRC).
- (7) In the event the developer chooses to construct the office complex in a phase earlier than that presented in the ADA (Phase 2), the developer shall submit a revised transportation analysis to the County

the y and TRBPC, shall replace the original DRI traffic analysis presented in the ADA for all development up to the latest phase of development which is analyzed in the analysis. The findings of the validated traffic analysis may also be utilized by the County in any formula established in the RTP for calculating the current proportionate share of the developer for the cost of the regionally significant improvements specified in the report of the Tampa Bay Regional Planning Council (Exhibit D) and associated improvement construction assignments designated for the developer.

- (3) The developer shall dedicate or donate, to the County, right-of-way sufficient to provide a total minimum width indicated below along the following roads where said roads adjoin or traverse the project and where the road frontage has not passed from the control of the developer due to prior platting.

- (a) Pivay Road Extension (120 feet in width)
- (b) Harper-Hamilton Road (120 feet in width for open drainage and 100 feet in width for closed drainage)
- (c) Pivay Road (right-of-way sufficient to construct a four-lane urban arterial road)

The developer shall deed or otherwise dedicate the right-of-way in accordance with the Master PUD Conditions of Approval.

- (4) The developer shall construct Harper-Hamilton Road and Pivay Road Extension within the DRI as two-lane, off-center roads.

- (5) The developer shall construct an additional two lanes on Pivay Road Extension and Harper-Hamilton Road when warranted by any validated traffic analysis submitted pursuant to Subparagraph (2) above which indicates that such internal roads will fall below Level of Service C (Level of Service D at peak hours) after completion of the next contemplated phase of development.

- (6) The developer shall construct right and left turn stacking lanes at all intersections of major roadways constructed by the developer, unless said condition is waived by the Development Review Committee (DRC).

- (7) In the event the developer chooses to construct the offices complex in a phase earlier than that presented in the ADA (Phase 2), the developer shall submit a revised transportation analysis to the County

a REPC, and be subject to the imposition of any transportation conditions prior to preliminary/site plan approval.

(8) The developer shall construct right turn lanes on Fivay Road (Plaza Drive) north and south of S.R. 52 prior to the approval of preliminary/site plan containing the 921st unit, unless a commitment for, or the construction of said improvement is made by others.

(9) The developer shall provide landscape buffering along Fivay Road, Fivay Road Extension, and Harper-Hamilton Road which adjoin or traverse the boundaries of the project. On previously platted developments where no landscape buffering exists, if the County provides the land, the developer shall provide the landscape buffering as part of the road construction.

(10) Prior to the submittal of construction plans for the roadway improvements for Fivay Road Extension and Harper-Hamilton Road, a geometric alignment and typical street cross section must be approved by the County. Immediately following the approval of construction plans by the County, the developer shall donate to the County right-of-way for Harper-Hamilton Road and Fivay Road Extension of at least 120' in width, for the entire length of such roads within and abutting the project except where the road frontage has passed from the control of the developer due to prior platting or where the developer commits to construct urban closed drainage.

(11) Only one bike path and one sidewalk shall be constructed along all major collector/arterial roads within the project as designated in the Master P.U.D. Plan (except along Fivay Road, where only one bike path will be required). The required bike path along Fivay Road from Woodbine Drive to Fivay Road Extension shall be constructed as part of the intersection of Fivay Road and Fivay Road Extension. A DEC approved pedestrian path and bicycle path plan would supersede this requirement along some or all of these roads.

(12) For the purposes of these conditions, all references to a specific number of dwelling units include the 599th unit for which record plats have been approved prior to the date of adoption of this Development Order.

c. Transportation Improvement Alternatives - The Beacon Woods East development will have a substantial negative impact on several regionally sig-

reflect new facilities within the primary impact area identified the ADA. Roadway improvements required to mitigate the negative impact of this proposed development on transportation facilities have been identified in the ADA. The two alternatives which follow are measures which may mitigate the negative transportation impact associated with the Beacon Woods East DRI. One of these two alternatives must be implemented by the County and/or the developer.

ALTERNATIVE 1

- (1) Commitments for the following roadway improvements shall be made by Pasco County or other entity before development approval shall be issued by the County beyond 2,549 units (Phase 2).

- (a) Widen U.S. 19 to a six-lane divided arterial from Pivay Road to County Line Road, referenced as needed in the ADA. Beacon Woods East contributes 14% of the Level of Service "C" traffic in 1987.
- (b) Widen U.S. 19 to a six-lane expressway from S.R. 52 to Pivay Road, referenced as needed in the ADA. Beacon Woods East contributes 13% of the Level of Service "C" traffic in 1987.
- (c) Widen Pivay Road to a four-lane divided arterial from the south entrance of Beacon Woods East to S.R. 52, referenced as needed in the ADA. Beacon Woods East contributes 107% of the Level of Service "C" traffic in 1987.
- (d) Widen S.R. 52 to a six-lane divided arterial from U.S. 19 to Colony Road, referenced as needed in the ADA. Beacon Woods East contributes 30 to 31% of the Level of Service "C" traffic in 1987.
- (e) Widen S.R. 52 to a four-lane arterial from Colony Road to U.S. 41, referenced as needed in the ADA. Beacon Woods East contributes 5 to 37% of the Level of Service "C" traffic in 1987.
- (f) Widen Plaza Drive to a four-lane arterial from S.R. 52 to C.R. 507A, referenced as needed in the ADA. Beacon Woods East contributes 20 to 24% of the Level of Service "C" traffic in 1987.

Add appropriate through and turn lanes to the intersection of S.R. 52 and Fivay Road, referenced as needed in the ADA. Beacon Woods East contributes 29% of the peak hour traffic in 1987.

(h) Add appropriate through and turn lanes to the intersection of U.S. 19 and S.R. 52, referenced as needed in the ADA. Beacon Woods East contributes 1% of the 1987 peak hour traffic.

(i) Add appropriate through and turn lanes to the intersection of Plaza Drive and Ridge Road, referenced as needed in the ADA. Beacon Woods East contributes 5% of the 1987 peak hour traffic.

(j) Add appropriate through and turn lanes to the intersection of U.S. 19 and S.R. 587A (Ridge Road), referenced as needed in the ADA. Beacon Woods East contributes 8% of the 1987 peak hour traffic.

(k) Add appropriate through and turn lanes to the intersection of U.S. 19 and Fivay Road, referenced as needed in the ADA. Beacon Woods East contributes 14% of the 1987 peak hour traffic.

(l) Add appropriate through and turn lanes to the intersection of Fivay Road and the north access road to Beacon Woods East, referenced as needed in the ADA. Beacon Woods East contributes 67% of the 1987 peak hour traffic.

(m) Add appropriate through and turn lanes to the intersection of Fivay Road and the south access road to Beacon Woods East (Clayton Boulevard), referenced as needed in the ADA. Beacon Woods East contributes 59% of the 1987 peak hour traffic.

(n) Widen Fivay Road to a six-lane divided arterial from the south entrance road to Beacon Woods East to S.R. 52, referenced as needed in the ADA. Beacon Woods East contributes 104% of the Level of Service "C" traffic in 1992.

(o) Widen Little Road to a four-lane divided arterial from C.R. 587A (Ridge Road) to C.R. 587, referenced as needed in the ADA. Beacon Woods East contributes 23% of the Level of Service "C" traffic in 1992.

- p) Add appropriate turn lanes to the intersection of Y2 and Fivay Road, referenced as needed in the ADA. Beacon Woods East contributes 29% of the 1992 peak hour traffic.
- q) Add appropriate through lanes to the intersection of U.S. 19 and S.R. 52, referenced as needed in the ADA. Beacon Woods East contributes 11% of the 1992 peak hour traffic.
- r) Add appropriate through and turn lanes to the intersection of U.S. 19 and C.R. 578, referenced as needed in the ADA. Beacon Woods East contributes 5% of the 1992 peak hour traffic.
- s) Add appropriate through lanes to the intersection of Plaza Drive and Ridge Road, referenced as needed in the ADA. Beacon Woods East contributes 8% of the 1992 peak hour traffic.
- t) Add appropriate through and turn lanes to the intersection of U.S. 19 and C.R. 587A, referenced as needed in the ADA. Beacon Woods East contributes 8% of the 1992 peak hour traffic.
- u) Add appropriate through and turn lanes to the intersection of U.S. 19 and Fivay Road, referenced as needed in the ADA. Beacon Woods East contributes 13% of the 1992 peak hour traffic.
- v) Add appropriate turn lanes to the intersection of Fivay Road and the north access road to Beacon Woods East, referenced as needed in the ADA. Beacon Woods East contributes 5% of the 1992 peak hour traffic.
- w) Add appropriate turn lanes to the intersection of Fivay Road and the south access road to Beacon Woods East needed in the ADA. Beacon Woods East contributes 49% of the 1992 peak hour traffic.

ALTERNATIVE II

- (1) Upon the adoption of this Development Order, the developer shall commence preparation of construction plans of roadway links and geometric design of intersections and shall complete same by the following dates for the following facilities:

by the first anniversary date of the adoption of the development order, for:

- (1) Harper-Hamilton Road within the Beeson Woods East project site in general conformance to the Master Planned Unit Development Plan, four-lane divided roadway, with initial construction of two lanes offset;
- (2) the intersection of U.S. 19, Pivvy Road and Harper-Hamilton Road;
- (3) the intersection of Harper-Hamilton Road and Pivvy Road Extension.

(b) by the second anniversary date of the adoption of this development order, for:

- (1) Pivvy Road Extension from existing Pivvy Road on the south to the northern boundary of the Beeson Woods East project site in general conformance to the Master Planned Unit Development Plan, four-lane divided roadway, with initial construction of two lanes offset;

and

- (2) the intersection of existing Pivvy Road and Pivvy Road Extension.

(c) The developer shall begin construction of the following two-lane improvement in accordance with plans approved by the County prior to the date of the approval of the record plat or final construction site plan containing the unit indicated below, whichever is sooner:

- (a) Harper-Hamilton Road from the east project boundary line to U.S. Highway 19 by the 150th unit or by December 31, 1984;
- (b) Pivvy Road Extension from existing Pivvy Road on the south to the northern boundary of the Beeson Woods East project site by the 220th unit or by December 31, 1986, which requirement shall supersede the prior commitment to construct that portion of said road south of Shadberry Lane required as a condition of preliminary plan approval of Woodward Village Subdivision.

- (c) Said roads shall be completed within one year of the commencement of construction.

The right-of-way for the improvements shall be made available by the County in a timely manner for all land not under control by the developer. Where required right-of-way is not available when construction is to be commenced pursuant to the provisions of this Development Order, the County shall allow 100 additional units beyond the limit established for such commencement. The County shall continue the same extension every six months for all subsequent submittals for approval until said right-of-way is available and construction can begin.

- (3) At the option of the County and upon adoption of the ITIP, any future revised ITIP, or County road impact fee ordinances by the County, the provisions of Alternative II shall be complied with to the exclusion of Alternative I, and the County may direct that the developer:

(a) continue with the planning and construction of the improvements identified in Paragraph 2 of this Alternative II, provided that the developer be given credits, as specified in Paragraph 4 of this Alternative II against impact fees imposed by ordinance or resolution, for all costs expended in planning and constructing such improvements; or

(b) complete all contractual obligations undertaken to that point in planning and constructing the improvements identified in Paragraph 2 of this Alternative II, and thereafter, pay impact fees as imposed by ordinance or resolution to the extent and in the same manner as such fees are imposed on other developers subject to such fees, provided, however, that the developer shall be given credits, as specified in Paragraph 4 of this Alternative II against impact fees imposed by ordinance or resolution, for all costs expended in planning and constructing improvements to the point of completion of the contractual obligations already undertaken.

- (4) Costs of planning and construction of the improvements identified in Paragraph 2 of this Alternative II shall be allowed as credits toward any required road impact fees for the full amount expended after adoption of this Development Order on Fivay Road Extension and for one-half the amount expended after adoption of this Development Order, on Harper-Hamilton Road. For purposes of this Development

er, cost of planning and construction does include inter-vening
the period of construction only, not to exceed twelve (12) months.

13. Recreation and Open Space

Findings

The Master Development Plan for Beacon Woods East designates 240.3 acres, or nineteen percent (19%) of the total site, for recreational and open space uses. The Beacon Woods East development will include four (4) park sites totaling thirteen (13) acres, a bikeway/open space network, three (3) recreation facility sites, and buffer strips along all major roadways in and adjacent to the project site.

All recreation and open space areas in the proposed development will be owned, operated, and maintained by a homeowners association for use by project residents. It is recommended that maintenance responsibility for all recreation and open space areas be assigned in the Development Order.

Conditions

6. Prior to approval of the next preliminary plan, a plan shall be submitted to the DRC which outlines the entities who will own and maintain the recreation and open space areas. The plan shall depict the areas each entity is to own and maintain, along with a general time schedule for transfer of ownership and responsibility. Unless waived by the DRC, the Beacon Woods East Homeowners Association shall be responsible for ownership and maintenance of the bikeway open space corridor.

14. Educational Facilities

Findings

The proposed Beacon Woods East development is designed primarily to provide housing for the retirees market. A total of 834 school age children are expected to reside at Beacon Woods East at build-out. The developer has agreed to convey a 15-acre site for an elementary school to the Pasco County School Board. A letter provided from the Pasco County Superintendent of Public Schools cites the need for the following capital improvements: (1) one elementary school site and the construction of a half (½) size elementary school and (2) construction of approximately eleven (11) classrooms as additions to existing secondary schools.

Conditions

- a. The developer shall donate to the County School District a minimum 15-acre school site. The time of donation is to be determined by the developer and the School District, but this donation shall not be later than July, 1990. The donation shall be by deed, which may contain a clause providing for reversion

of the day" site in the event a school is not constructed thereon within five (5) years after the date of donation.

15. Health Care

Findings

No specific on-site medical or health care facilities are planned for the Beacon Woods East development. The new Bayonet Point Regional Medical Center, located on Fivemound adjacent to the project site, currently has a 200-bed patient capacity. In addition, two (2) other hospitals and four (4) nursing or convalescent homes are also located within the West Pasco area. Emergency medical services will be provided by Pasco County from several existing stations in the West Pasco area.

Conditions

- a. See Condition 16 below (Fire Protection).

16. Fire Protection

Findings

Fire protection services will be provided by the Pasco County Fire Department. Beacon Woods East will be served by Station No. 100, located approximately one-half (1/2) mile west of the project site with a response time of two (2) minutes. The developer has agreed to reserve a 2.6-acre site for public service use, which may include fire protection or emergency medical services.

Conditions

The developer shall donate to the County \$25 per dwelling unit for public safety facilities and equipment in lieu of the 2.6-acre community service site (PS-1), as shown on the Master P.U.D. Plan. This rate shall remain until such time as the County establishes such impact fees. These funds shall be donated prior to approval of the record plat or the final site construction drawings (multifamily) used for the issuance of building permits.

The 2.6-acre site may have the same land use as either the adjoining professional office (P-1) or Commercial (C-1) increments. This will thus change the allowable commercial/professional office acreage from 60.6 to 63.2 and the total commercial/professional gross floor area from 740,000

square feet to 770,000 square feet.

17. Police Protection

Findings

Police protection services will be provided by the Pasco County Sheriff's Department with its main office located on Moon Lake Road in New Port Richey. The current response time for a priority call is approximately five (5) minutes. No on-

Conditions

a. None.

10. Office Parts

Findings

A site of approximately twenty-nine (29) acres at Beacon Woods East is proposed for development of professional offices and/or medical uses associated with the adjacent Bayonet Point Regional Medical Center. The 29-acre site offers the potential to accommodate approximately 300,000 square feet of gross floor area of office space. At this time, final consideration has not been given to the actual development and/or disposition of the office property or to prospective tenancy. The expansion of health care facilities or related activities from the adjacent Bayonet Point Regional Medical Center is considered a possible use for all or a portion of the subject site.

Traffic generated by an office complex of this size will be considerable. Therefore, should the developer propose to construct the office complex earlier than presented in the ADA, a revised transportation analysis should be required subject to additional conditions of approval.

Conditions

- a. See Condition 11.000 Transportation of this Development Order.

C. Conclusions of Law

The Board of County Commissioners hereby finds as follows:

1. The Beacon Woods East DRI will not unreasonably interfere with the achievement of the objectives of the State Land Development Plan, if any, applicable to the area encompassed in ADA;
2. The development is consistent with local land development regulations;
3. The development is consistent with the report and recommendations of the Regional Planning Agencies.
4. The development is not in an area of critical state concern.

D. General Conditions Restricting Development

1. Development of the area embraced by the ADA shall be governed by the standards and procedural provisions of adopted comprehensive plans, elements thereof, and land development regulations.
2. Construction of all improvements shall be governed by applicable County building, plumbing, electrical, energy, and other codes or regulations.
3. Installation of public facilities shall conform to regulations established in County codes or ordinances establishing such regulations.

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also police protection services, facilities, or sites will be dedicated or otherwise provided at Beacon Woods East. A letter from the Pasco County Sheriff's Department has been submitted with the ADA, verifying the ability of Pasco County to provide adequate police protection services to the proposed development.

Conditions

a. None.

18. Housing

Findings

The proposed Beacon Woods East development will contain approximately 4,403 units at build-out in 1992. The proposed development is planned to consist of a variety of housing types, including single family detached, villa, quadplex, and rental apartment units. According to the ADA, the applicant intends to develop and construct all residential units with necessary improvements completed. The primary marketing effort will be directed at retiree households vacationing within the Tampa Bay Region. Approximately ten percent (10%) of all units will be second homes. At build-out, it is estimated that eighty-five percent (85%) of all households will be retirement households. The net and gross residential densities for the proposed development at build-out will be 5.2 and 3.6 units/acre.

Conditions

a. None.

19. Economy

Findings

Land development and construction expenditures for Beacon Woods East are expected to total over \$228 million over the 12-year development period. Approximately ninety percent (90%) of these expenditures will be spent in the Tampa Bay Region. The construction labor force associated with this project is expected to average 340 persons over the development period, including approximately 306 people from the regional labor force. At project completion, an estimated 2,000 permanent jobs will be created with an annual payroll of nearly \$25 million. In addition, approximately \$3.1 million per year in ad valorem taxes will be generated by build-out.

The proposed development will result in a loss of sixty-four (64) acres of planted pines and thirty (30) acres of improved pasture. These acres are located in the northernmost portion of the site and are not scheduled for development until Phase III (1993-99).

E. Monitoring Procedure

1. The local official responsible for monitoring the Beacon Woods East Development of Regional Impact shall be the Director of Community Development.

F. Duration

1. This development order shall take effect on August 31, 1982.
2. The duration of the development order shall be a period of twelve (12) years, provided that the effective period may be extended by the Board upon a showing of good cause.

G. Annual Report

1. Beacon Homes shall provide an annual report to the official responsible for monitoring the DBI, the Tampa Bay Regional Planning Council, and the state land planning agency on August 31st of each year during the term of the development order. The report shall include, at a minimum, the following information:
 - a. Any changes in the proposed plan of development;
 - b. Description of the development activities which have occurred over the previous year, including a summary of the number, type, and location of residential units and commercial structures;
 - c. A description of development activity proposed for the next year;
 - d. A statement setting forth names and addresses of any assignees or successors in interest to this development order.

H. Amendment/Substantial Deviations

All proposed substantial and material changes to a Development of Regional Impact for which a development order has been approved shall be submitted to the Board of County Commissioners for a substantial deviation determination prior to implementation of such changes by the developer. As used in this paragraph, the term substantial deviation means any change to a previously approved Development of Regional Impact which creates a reasonable likelihood of additional significant adverse regional impacts or any other significant regional impact which was not previously reviewed by the Board of County Commissioners or the Regional Planning Agency.

The following types of changes to the approved D.R.I. development shall require submission for a substantial deviation determination:

1. Any proposed plans which differ substantially from an approved Master Site Plan or Master Drainage Plan.
2. Any plan which does not substantially conform to or implement the conditions set forth in this development order.

Prior to amending any provision in this development or issuing any substantial deviation determination, the County shall provide Tampa Bay Regional Planning Council with reasonable notice

of its intent to consider such an amendment. Such notice shall be reasonably calculated to give Tampa Bay Regional Planning Council to appear at the public hearing or present written comments on the proposed change prior to the effective date of the amendment or change.

I. Effect of Development Order/ADA

1. The requirements of and conditions imposed by this development order shall constitute regulations or restrictions which restrict the development of the property described in Exhibit "A" attached hereto. Following the adoption of this development order, all plans for development on the referenced property shall be consistent with the conditions and restrictions recited in this development order. Such regulations and restrictions shall be binding upon all successors in interest to any of the parties hereto.

2. All development of the property subject to this development order shall substantially conform to the ADA filed by Beacon Homes, unless otherwise modified by the provisions of this development order. Said ADA is attached hereto as Exhibit "C".

J. Miscellaneous Provisions

1. A Notice of Adoption of this Resolution shall be filed and recorded in the Public Records of Pasco County, Florida, in accordance with Section 380.08(14)(a), Florida Statutes, and the development order contained herein shall govern the development of the Beacon Woods East DRI.
2. The County Attorney is hereby authorized and directed to cause a certified copy hereof to be served on the State Land Planning Agency, the Tampa Bay Regional Planning Council, and upon attorneys of record in these proceedings for Beacon Homes.
3. Funds collected from fees imposed under this development order shall be placed in separate trust accounts for each type of capital improvement for which the fee was collected, including education facilities and public safety facilities. Thereafter monies collected shall be used solely for the expansion of such capital improvements necessitated by the impacts of the development approved in the development order.

K. Severability

It is declared to be the intent of the Board of County Commissioners of Pasco County, Florida, that if any section, subsection, sentence, clause, or provision of this Resolution is held invalid, the remainder of the Resolution shall be construed as not having contained said section, subsection, sentence, clause, or provision, and shall not be affected by such holding.

DONE AND RESOLVED this 31st day of August, 1982.

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA



BY: [Signature]
BARRY W. DOYLE, CHAIRMAN

APPROVED AS TO FORM AND LEGALITY
Office of the County Attorney

[Signature]
Jed Pittman, Clerk

[Signature]
Attorney

By: Mercedes Moore, SC

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

Also, less and except from the above described property any lands lying Southeastly of the following described line:

Commence at the northeast corner of Section 2, Township 25 South, Range 16 East; thence S 71-17' W along the East line of said Section 2, for 204.27 feet, to the POINT OF BEGINNING; thence S 00° 12' W, for 254.27 feet along said line, to the Eastern right-of-way of Flory Road for a point of beginning; said line also being the South line of BEACHES ROAD according to plat "A" as recorded in Atlas Bank 17, pages 77 and 78, of the Public Records of Pasco County, Florida.

Also, all any right-of-way of record.

Index

Total Development Area:

1,244 Acres (Total)
 863 Acres
 382 Acres
 240 Acres
 15.4 Acres
 63 Acres

Total Protected Population:

9,400

Number of Dwelling Units:

4,483

\$60,000 - \$70,000 (19% tollare)

Average Price Range:

\$237,300,000

Estimated Project Construction Expenditures:

\$3,100,000

Estimated Cumulative Ad Values:

Tax Yield:

Water Supply:
 Estimated Daily Water
 Requirement at Build-Out
 Potable:
 Non-Potable:
 Total:

1,575,700 Gallons Per Day
 374,300 Gallons Per Day
 1,950,000 Gallons Per Day

Sewage Treatment:
 Estimated Average Daily Flows
 at Build-Out:

1,091,700 Gallons Per Day

Solid Waste:

Estimated Average Daily
 Construction at Build-Out:

21.3 Tons/Day

Electricity:

Projected Average Daily
 Electrical Requirement at
 Build-Out:
 Peak Demand:

15,759 Kilowatt Hours
 29,760 Kilowatts

Primary Transportation Network:

Percentage of Average Daily Traffic
 Attributed to Development at Build-Out is .992

% of Total Daily Traffic	Build-Out Daily Trips	Build-Out LOS	Existing 1980-81 LOS
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Fivay Road (Immediately

South of the	65	30,673	E	B
development)	21-25	17,592-18,224	E	B
Plaza Drive	13	23,865	E	B-C
Moore Lane Road	15-39	17,504-39,437	E	B-D
SR 52	4-12	50,778-100,973	B-E	A-C
US 19	0-1	4,620-16,290	E	D
CR 547	2	22,634	E	
CR 587A				

Build-Out:

1992

EXHIBIT "D"

The following roadway improvements were found to be needed to maintain Level of Service C by the time of Beacon Woods East's build-out (approximately 1992).

1. Widen U.S. 19 to a six-lane divided arterial from Fivay Road to County Line Road, referenced as needed in the ADA.
2. Widen U.S. 19 to a six-lane expressway from S.R. 52 to Fivay Road, referenced as needed in the ADA.
3. Widen Fivay Road to a four-lane divided arterial from the south entrance of Beacon Woods East to S.R. 52, referenced as needed in the ADA.
4. Widen S.R. 52 to a six-lane divided arterial from U.S. 19 to Colony Road, referenced as needed in the ADA.
5. Widen S.R. 52 to a four-lane arterial from Colony Road to U.S. 41, referenced as needed in the ADA.
6. Widen Plaza Drive to a four-lane arterial from S.R. 52 to C.R. 507A, referenced as needed in the ADA.
7. Add appropriate through and turn lanes to the intersection of S.R. 52 and Fivay Road, referenced as needed in the ADA.
8. Add appropriate through and turn lanes to the intersection of U.S. 19 and S.R. 52, referenced as needed in the ADA.
9. Add appropriate through and turn lanes to the intersection of Plaza Drive and Ridge Road, referenced as needed in the ADA.
10. Add appropriate through and turn lanes to the intersection of U.S. 19 and S.R. 507A (Ridge Road), referenced as needed in the ADA.
11. Add appropriate through and turn lanes to the intersection of U.S. 19 and Fivay Road, referenced as needed in the ADA.
12. Add appropriate through and turn lanes to the intersection of Fivay Road and the north access road to Beacon Woods East, referenced as needed in the ADA.
13. Add appropriate through and turn lanes to the intersection of Fivay Road and the south access road to Beacon Woods East (Clayton Boulevard), referenced as needed in the ADA.
14. Widen Fivay Road to a six-lane divided arterial from the south entrance road to Beacon Woods East to S.R. 52, referenced as needed in the ADA.
15. Widen Little Road to a four-lane divided arterial from C.R. 507A (Ridge Road) to C.R. 507, referenced as needed in the ADA.

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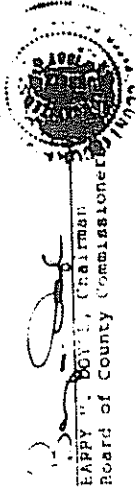
16. Add appropriate turn lanes to the intersection of S.R. 52 and Fivay Road, as needed in the ADA.
17. Add appropriate through lanes to the intersection of U.S. 19 and S.R. 52, referenced as needed in the ADA.
18. Add appropriate through and turn lanes to the intersection of U.S. 19 and C.R. 570, referenced as needed in the ADA.
19. Add appropriate through lanes to the intersection of Plaza Drive and Ridge Road, referenced as needed in the ADA.
20. Add appropriate through and turn lanes to the intersection of U.S. 19 and C.R. 587A, referenced as needed in the ADA.
21. Add appropriate through and turn lanes to the intersection of U.S. 19 and Fivay Road, referenced as needed in the ADA.
22. Add appropriate turn lanes to the intersection of Fivay Road and the north access road to Beacon Woods East, referenced as needed in the ADA.
23. Add appropriate turn lanes to the intersection of Fivay Road and the south access road to Beacon Woods East needed in the ADA.

NOTICE OF ADOPTION OF DEVELOPMENT ORDER
BEACON WOODS EAST

Pursuant to Section 390.06(14)(d), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners, by Resolution No. 82-147, dated 8/31, 1982, has adopted a Development Order for the development of a Regional Improvement known as Beacon Village. A legal description of the property covered and the Development Order may be examined upon request at the Office of the Clerk of 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 FORTHCOMING OF THIS NOTICE SHALL NOT CONSTITUTE A LIEN, OR A ENCUMBRANCE OF THE LAND REFERRED TO DESCRIBED IN EXHIBIT "A". THE ACTUAL MAY CONSTITUTE A LIEN OF ANY OF THE LAND UNDER THE AUTHORITY OF SECTION 390.06(14)(d), FLORIDA STATUTES.



APPROVED AS TO FORM AND LEGALITY
Office of the County Attorney

[Signature]
Attorney

RECORDED

827891
RECORD VERIFIED
SEP 2 2 33 PM '82

1984

0.1-1206-PG-01902

BEACON WOODS EAST DEVELOPMENT ORDER AMENDMENT

DRI NONSUBSTANTIAL DEVIATION DETERMINATION

RESOLUTION AMENDING RESOLUTION NO. 82-147, AS AMENDED, REVISING THE CONDITIONS OF DEVELOPMENT APPROVAL FOR THE BEACON WOODS EAST 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 August 31, 1982, the Board of County Commissioners of Pasco County adopted by Resolution No. 82-147 a DRI Development Order approving, with conditions, the Beacon Woods East Development of Regional Impact consisting of 4,483 residential units; and commercial/professional development totaling 63.2 acres and 770,000 square feet of floor area; and

WHEREAS, on April 4, 1988, Beacon Homes Company filed an application requesting a nonsubstantial deviation determination pursuant to Section 380.06(19), Florida Statutes; and

WHEREAS, the proposed change would represent the redistribution of dwelling units, an increase in the acreage designated for commercial use, and a reduction in open space acreage; and

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

1. Beacon Homes Company 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 DRI in accordance with Section 380.06, Florida Statutes.
3. The developer has submitted simultaneously to Pasco County, the Tampa Bay Regional Planning Council (TERPC), and the State Department of Community Affairs (DCA) the request for approval of a proposed change.
4. Pasco County has given 15 days notice and scheduled a public hearing.
5. Neither the TERPC or DCA 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 May 24, 1988.
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.

1989

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.

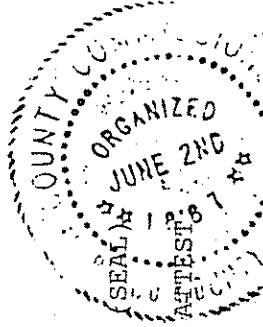
NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County in regular session duly assembled that:

1. The above-referenced proposed change to the Beacon Woods East DRI 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.

2. The proposed change to the Beacon Woods East DRI is approved and Resolution

No. 82-147 hereby amended incorporating the approved changes.

DONE AND RESOLVED THIS 24th DAY OF May, 1988.



BY:

Jed Pittman
JED PITTMAN, CLERK
By: Rosea S. Hawk

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

BY:

Sylvia Young
SYLVIA YOUNG, CHAIRMAN

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

BY:

Attorney

1990

chg. 115-002
BCC
29.00
4.00
33.00

NOTICE OF ADOPTION OF DEVELOPMENT ORDER

BEACON WOODS EAST 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. 88-303, dated May 24, 1988, has adopted an amendment to a Development Order for the Development of Regional Impact known as Beacon Woods East. 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.



Vice-
Board of County Commissioners

State of Florida)

County of Pasco)

The foregoing Notice of Adoption of Development Order was acknowledged before me this 24th day of May, 1988.

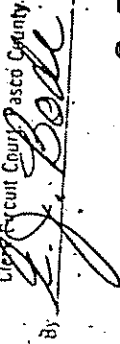

Notary Public
State of Florida at Large
My Commission Expires 01/11/90

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

Attorney

RECORD VERIFIED

JED PITTMAN
Clerk, Pasco County, Florida



463526
FILED IN RECORD
JUN 13 4 25 PM '88

beacon:wp

R. Del Records, Beck

O.R. 1714 PG 1331

1993

This is NOT a survey.

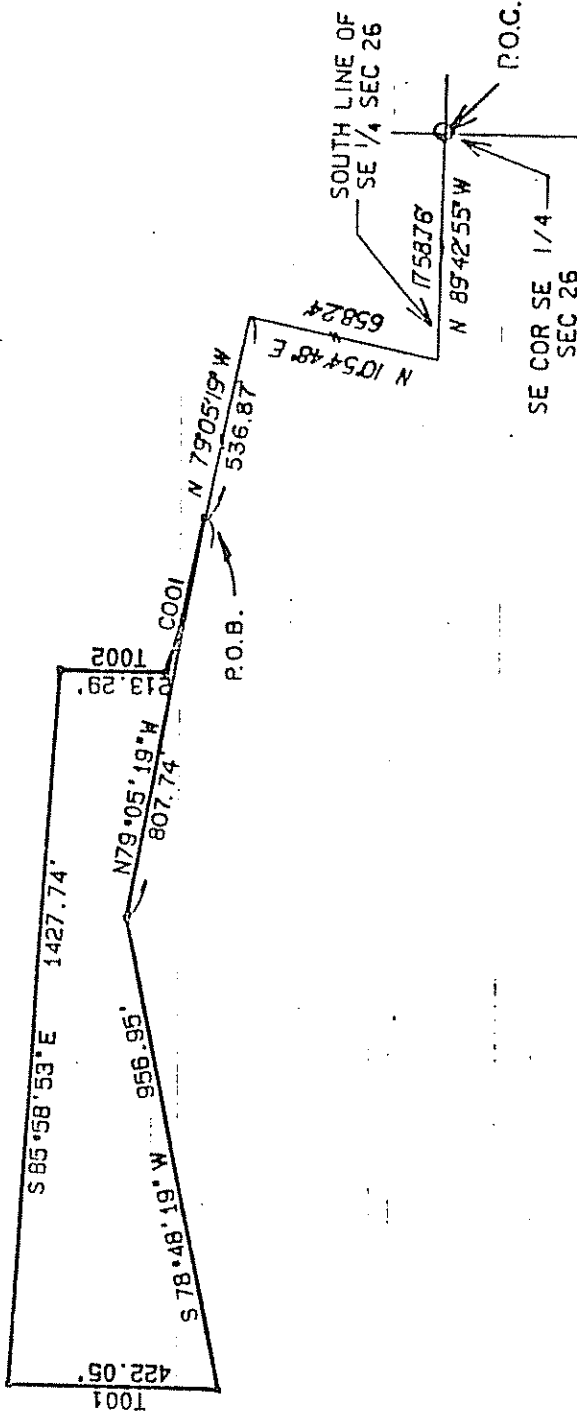
CURVE DATA

ID	RADIUS	DELTA	ARC LGT	CHORD	CHORD BRNG	TANGENT
C001	2924.59	6°08'49"	313.76	313.61	S76°00'55"E	157.03

TANGENT DATA

ID	BEARING	DIST
T001	N 0°54'48"E	422.05'
T002	S 0°54'48"W	213.29'

SCALE: 1" = 200'



NOTES:

- The sketch shown here is for graphic representation only and does not represent a boundary survey.
- No title report has been presented to or pursued by the undersigned in conjunction with the above sketch or legal description.
- Bearings shown hereon are based on the South line of the Southeast 1/4 of Section 26, Township 24 South, Range 16 East, as being N 89°42'55\" W.
- Corner monuments were not set in conjunction with the preparation of this drawing.
- Reproductions of this sketch are not valid unless sealed with the embossed surveyor's seal.

BEACON WOODS EAST ADDITIONAL LANDS

SKETCH AND LEGAL DESCRIPTION

Plot No. 05-501.32	Calculated by:	
4-1-88	Drawn by: NS	
	Checked by:	

We hereby certify that the attached "Sketch and Legal Description" is true and correct to the best of our knowledge and belief as recently prepared under our direction and that this sketch meets the intent of the minimum technical standards for surveying pursuant to Section 472.027, Florida Statutes and Chapter 21H-16, Florida Administrative Code.

POST, BUCKLEY, SCHUH & JERNIGAN, INC. 994

Professional Land Surveyor # 4353 State of Florida

POST, BUCKLEY, SCHUH & JERNIGAN, INC.

CONSULTING ENGINEERS and PLANNERS
2401 ENTERPRISE ROAD CLEARWATER, FLORIDA 34622

LEGAL DESCRIPTION: BEACON WOODS EAST
ADDITIONAL LANDS

A parcel of land being a portion of the South 1/2 of Section 26, Township 24 South, Range 16 East, Pasco County, Florida, being more particularly described as follows:

Commence at the Southeast corner of said Section 26; thence N 89° 42' 55" W, along the southerly line of said Section 26, for 1,758.76 feet; thence N 10° 54' 48" E, for 658.24 feet; thence N 79° 05' 19" W, for 536.87 feet to the POINT OF BEGINNING; thence continue N 79° 05' 19" W, for 807.74 feet; thence S 78° 48' 19" W, for 956.95 feet; thence N 00° 54' 48" E, for 422.05 feet; thence S 85° 58' 53" E, for 1,427.74 feet; thence S 00° 54' 48" W, for 213.29 feet to a point on the arc of a non-tangent curve, a radial line from which point bears N 17° 03' 30" E, to the center of said curve; thence along the arc of said curve, concave to the North, having for its elements a radius of 2,924.59 feet, a central angle of 06° 08' 49", an arc length of 313.76 feet, a chord bearing of S 76° 00' 55" E, and a chord length of 313.61 feet to the POINT OF BEGINNING.

Containing 8.66 acres, more or less.

cw:LD45:0/1
05-501.32
04/01/88

1995

PAGE 2 OF 2

O.R. 1714 PG 1333

This Indenture, Made this 22nd day of

December 100002 10 7774 12-31-86 A.D. 19

between C.A. CLAYTON and MAXINE J. CLAYTON, his wife

13:53
RECORDING
01 00 40
DOC STAMPS
01 00 41
10 CASH TOTAL 1 46

part ies of the first part and BEACON HOMES LIMITED, a Florida Limited Partnership
whose address is P.O. Box 610
Dunedin, FL 33528

part ies of the second part.

Witnesseth, That the said part ies of the first part for and in consideration of the sum
TEN (\$10.00) and Other Good and Valuable Consideration
to them in hand paid by the said part ies of the second part the receipt whereof is hereby acknowlec
has granted, bargained and sold to the said part ies of the second part their heirs and assigns for
the following described land, situate in Pasco County, Florida, to-wit:

SEE EXHIBIT "A", ATTACHED HERETO AND MADE PART OF.

Documentary Tax Pd. \$ 4639.00
Intangible Tax Pd.

Notary Public, Pasco County

By Notary Public

RECORD VERIFIED

100 PPMAN

Clerk Circuit Court, Pasco County

By Notary Public

309059
FILED FOR RECORD
CLK. CIR. ST. PASCO COUNTY, FL
DEC 31 2 00 PM '86

We Have and to Hold the same, together with all the hereditaments and appurtenances there-
ing or in anywise appertaining, to the said part ies of the second part, their heirs and
forever, and the said part ies of the first part do hereby fully warrant the title to said land
will defend the same against the lawful claim of all persons whomsoever.
Part ies of the second part assume the payment of taxes for the year 1987 and subsequent y
The said part ies of the first part have hereunto set their
hand S and seal S the day and year above written.

Signed, sealed and delivered in the presence of

Maxine J. Clayton
C.A. Clayton

C.A. Clayton
C.A. CLAYTON

(SE)

Maxine J. Clayton
MAXINE J. CLAYTON

(SE)

(SE)

(SE)

State of Florida

County of Pasco

I, Harry C. C. That on this day personally appeared before me, an officer duly authorized to

minister oaths and take acknowledgments C.A. Clayton and Maxine J. Clayton, his wife

1996

O.R. 1714 PG 1334

to me well known to be the person S described in and who executed the foregoing instrument and acknowledged
for me that they executed the same freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal this

22nd day of December

A.D. 19

NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES SEPT. 17, 1990
BONDED THRU GENERAL INSURANCE (BNJ) Co. 19

Notary Public

A portion of Lots 49, 50, 51, 53, and 55; and all of Lots 52, 56, 57 and 61 in Section 25, Township 24 South, Range 16 East, of the Port Richey Land Company Subdivision as recorded in Plat Book 1, Pages 60 and 61, Public Records of Pasco County, Florida;

TOGETHER WITH

All of Lots 8, 13, 14, and 21 in Section 36, Township 24 South, Range 16 East, of said Port Richey Land Company Subdivisions;

TOGETHER WITH

A portion of Sections 25, 26, 27, 35 and 36, Township 24 South, Range 16 East, Pasco County, Florida;

All being more particularly described as follows:

From the East quarter corner of said Section 35 as a point of reference; thence N 00°39'09" E, along the easterly line of said Section 35 for 571.65 feet to the POINT OF BEGINNING; thence departing said easterly line N 89°20'31" W, for 846.94 feet to a point of curve of a non-tangent curve concave to the East; thence along the arc of said non-tangent curve having a radius of 1,000.00 feet, a central angle of 18°29'31"; an arc of 322.75 feet, a chord bearing of N 09°04'37" E, and a chord of 321.35 feet; thence N 18°19'22" E, for 278.39 feet to a point of curve; thence along the arc of said curve concave to the West having a radius of 850.00 feet, a central angle of 26°31'40", an arc of 393.55 feet, a chord bearing of N 05°03'32" E, and a chord of 390.04 feet; thence N 89°20'17" W, along a non-radial line for 50.64 feet to a point of curve; thence along the arc of a non-tangent curve concave to the West having a radius of 800.00 feet, a central angle of 27°05'13", an arc of 378.20 feet, a chord bearing of S 04°46'46" W, and a chord of 374.69 feet; thence S 18°19'22" W, for 28.60 feet to a point of cusp; thence along the arc of a non-tangent curve concave to the West having a radius of 600.00 feet, a central angle of 10°56'11", an arc of 114.53 feet, and a chord bearing N 03°44'36" W, for 114.35 feet; thence N 89°20'51" W, for 25.39 feet, thence S 08°09'00" E for 30.00 feet; thence S 83°42'29" W for 545.67 feet; thence S 51°21'38" W, for 500.00 feet; thence N 38°38'22" W for 777.38 feet to a point of curve; thence along the arc of a non-tangent curve concave to the Southeast having a radius of 860.00 feet, a central angle of 07°31'35", an arc of 112.97 feet, a chord bearing of N 71°33'35" E, and a chord of 112.89 feet; thence N 14°40'38" W, along a radial line for 80.00 feet to a point of curve; thence along the arc of a non-tangent curve concave to the Southeast having a radius of 940.00 feet, a central angle of 83°00'00", an arc of 1,361.71 feet, a chord bearing of S 33°49'22" W, and a chord of 1,245.73 feet; thence S 07°40'38" E, for 260.00 feet to the northeasterly corner of Lot 506, Ravenswood Village Unit 2B according to the plat thereof as recorded in Plat Book 21, Pages 139 through 144, Public Records of Pasco County, Florida; thence along the northerly line of said Ravenswood Village Unit 2B by the following five (5) courses: (1) S 82°19'22" W, for 490.00 feet; (2) N 07°40'38" W, for 185.99 feet; (3) N 19°40'38" W, for 395.68 feet; (4) N 52°34'57" W, for 86.99 feet; (5) along the arc of a curve concave to the North having a radius of 2,000.00 feet, a central angle of 21°06'42", an arc of 736.94 feet, a chord bearing of S 71°43'34" W, and a chord of 732.77 feet to the northeastern most corner of Lot 548, Ravenswood Village Unit 1, according to the plat thereof as recorded in Plat Book 19, Pages 62 through 67, Public Records of Pasco County, Florida; thence continue along the northerly and westerly lines of said Ravenswood Village Unit 1 by the following three (3) courses: (1) along the arc of a curve concave to the North having a radius of 2,000.00 feet, a central angle of 03°46'31", an arc of 131.78 feet, a chord bearing of S 84°10'07" W, and a chord of 131.76 feet; (2) S 14°45'49" W, for 110.33 feet; (3) S 45°19'22" W, for 835.00 feet to the northeasterly right-of-way of Flivay Road (an 80.00 foot right-of-way); thence along said right-of-way N 44°40'59" W, for 419.32 feet; thence departing said right-of-way N 45°19'22" E, for 301.00 feet; thence N 07°32'10" W, for 710.86 feet; thence N 46°12'39" E, for 101.38 feet; thence N 86°12'39" E, for 250.00 feet; thence N 14°05'01" E, for 112.58 feet; thence N 51°40'06" E, for 500.00 feet to a point on the arc of a non-tangent curve concave to the East; thence along the arc of said curve having a radius of 500.00 feet, a central angle of 17°11'19", an arc of 150.00 feet, and a chord bearing N 11°24'03" W, for 149.44 feet; thence N 02°48'23" W, for 278.38 feet to a point of curve; thence along the arc of a curve concave to the West having a radius of 800.00 feet, a central angle of 13°00'39", an arc of 181.67 feet, and a chord bearing N 09°18'43" W, for 181.28 feet; thence N 86°53'57" E, for 563.25 feet; thence N 86°54'41" E, for 2,100.00 feet; thence N 10°54'48" E, for 950.00 feet; thence N 79°05'19" W, for 1,344.60 feet; thence S 78°48'19" W, for 956.95 feet; thence N 00°54'48" E, for 422.04 feet, thence N 85°58'53" W, for 1,196.97 feet; thence N 04°01'07" E, for 10.00 feet to a point on the arc of a curve concave to the South from which a radial line bears S 04°01'07" W; thence along the arc of said curve having a radius of 5,679.58 feet, a central angle of 03°32'32", an arc of 351.12 feet, and a chord bearing N 87°45'09" W, for 351.06 feet; thence N 89°31'25" W, for 702.42 feet; thence N 00°28'35" E, for 100.00 feet to the northerly line of the Southwest quarter of the

Southeast quarter of said Section 27; thence along said line S 89° 31' 25" E, for 822.25 feet to the westerly line of said Section 26; thence along said line N 00° 35' 25" E, for 1,326.03 feet to the West quarter corner of said Section 26; thence S 89° 35' 16" E, along the East-West centerline of said Section 26, said East-West line also being the southerly boundary of Gulf Coast Acres. Unit 1, according to the plat thereof as recorded in Plat Book 5, Page 84, Public Records of Pasco County, Florida, the southerly boundary of Gulf Coast Acres. Unit 4, according to the plat thereof as recorded in Plat Book 5, Page 87, Public Records of said County, and 15 feet South of and parallel with the southerly line of Lots 11 and 12 in Section 26, Port Richey Land Company Subdivision, according to the plat thereof as recorded in Plat Book 1, Pages 60 and 61, Public Records of said County, for 3,339.58 feet to the West quarter corner of said Section 25; thence S 00° 56' 15" W, along the westerly boundary of said Section for 361.72 feet; thence S 89° 35' 58" E, along a line parallel with the northerly line of the Southwest quarter of said Section for 2,620.67 feet to the easterly line of the Southwest quarter of said Section 25; thence S 00° 47' 07" W, along said easterly line for 2,286.84 feet to the North quarter corner of said Section 36; thence S 00° 41' 52" W, along the North-South centerline of said Section for 990.29 feet to a point 15.00 feet West of the Northwest corner of Lot 8 of said Port Richey Land Company Subdivision; thence S 89° 33' 38" E, along the westerly extension of, and the northerly line of said Lot 8 for 1,320.00 feet to the Northeast corner of said lot; thence S 00° 41' 51" W, along the easterly boundary of said Lots 8 and 13, for 660.71 feet to the Southeast corner of said Lot 13; thence N 89° 32' 17" W, along the southerly line of said Lot 13 for 880.00 feet to the Northeast corner of said Lot 14; thence S 00° 41' 51" W, along the easterly line of said Lot 14 and its southerly extension for 990.55 feet to the northerly line of Five-A Ranches, Unit 6, according to the plat thereof as recorded in Plat Book 7, Page 54, Public Records of Pasco County, Florida; thence N 89° 30' 16" W, along said line for 440.00 feet to the center of said Section 36, said point also being the Southeast corner of Five-A Ranches, Unit 7, according to the plat thereof as recorded in Plat Book 7, Page 55, Public Records of Pasco County, Florida; thence along the boundary of said Unit 7 by the following two (2) courses; (1) N 00° 41' 52" E, for 990.29 feet to the Northeast corner of said Unit 7; (2) N 89° 28' 20" W, along the northerly line of said Unit 7 and also the northerly line of Lot 30 of said Port Richey Land Company Subdivision, and the westerly extension thereof, for 2,625.39 feet to the easterly line of the Northeast quarter of said Section 35; thence S 00° 39' 09" W, along said line for 420.11 feet to the POINT OF BEGINNING.

LESS THE FOLLOWING:

A tract of land lying in the Southwest 1/4 of Section 25, Township 24 South, Range 16 East, Pasco County, Florida, and being more particularly described as follows:

Commence at the South 1/4 corner of Section 25, Township 24 South, Range 16 East; thence N 00° 47' 07" E, for 268.41 feet along the East line of the Southwest 1/4 of said Section 25 to the POINT OF BEGINNING; thence continue along said East line N 00° 47' 07" E, for 272.35 feet; thence leaving said East line, N 89° 12' 53" W, for 200.00 feet; thence S 00° 47' 07" W, for 156.98 feet to a point on a curve concave to the North; thence southeasterly along the arc of said curve having a radius of 1,849.86 feet, a central angle of 07° 09' 22", an arc length of 231.04 feet and a chord bearing of S 59° 14' 11" E, for 230.89 feet to the POINT OF BEGINNING, and containing 1.00 acres, more or less.

ALSO LESS:

The East 359.27 feet of Lot 57, PORT RICHEY LAND COMPANY SUBDIVISION, according to the plat thereof as recorded in Plat Book 1, Page 60, Public Records of Pasco County, Florida

Containing 2.62 acres, more or less.

1998

~~O.R. 1568 PG 0179~~
O.R. 1714 PG 1336

ALSO LESS:

A parcel of land lying in Section 35, Township 24 South, Range 16 East, being more particularly described as follows:

Begin at the western-most Point of RAVENSWOOD VILLAGE UNIT 1 as recorded in Plat B 19, Pages 62 - 67, Public Records of Pasco County, Florida; thence N 44°40'59" W, along the northeasterly right-of-way of Fivay Road (an 80' right-of-way) for 475.00 feet; thence N 41°19'22" E, for 200.00 feet to a Point of Curve; thence along the arc of a curve concave to the Northwest having a radius of 300.00 feet, a central angle of 32°36'04", an arc of 170.70 and chord bearing N 29°01'20" E, for 168.41 feet; thence departing said curve on a non-radial line S 44°40'59" E, for 522.27 feet to the northwesterly boundary of said Ravenswood Village; thence S 45°19'22" W, along said northwesterly boundary 361.64 feet to the POINT OF BEGINNING

Containing 4.00 acres, more or less.

Net Area = 686.96 acres, more or less.

All being subject to a 3.00 foot maintenance easement lying contiguous and exterior to the following described parcel:

A tract of land located in Section 26 and 35, Township 24 south, Range 16 East, Pasco County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Section 35 as a point of reference; thence N 89°42'55" W, along the northerly line of said Section 35 for 1,758.76 feet to the POINT OF BEGINNING; thence S 10°54'48" W, for 291.76 feet; thence S 86°54'41" W, for 2,100.00 feet; thence N 00°54'48" E, for 1,114.84 feet; thence N 78°48'19" E, for 956.95 feet; thence S 79°05'19" E, for 1,344.60 feet; thence S 10°54'48" W, 658.24 feet to the POINT OF BEGINNING

Legal Description per survey prepared by POST, BUCKLEY, SCHUH & JERNIGAN, INC., dated November 18, 1986, Job No. 05-501-1.26.

1999

O.R. 1714 PG

1337