

1-22-01

AT

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION

AGENDA

April 10, 2001

01 APR - 2 PM 2:32  
FILED  
DIVISION OF ADMINISTRATIVE HEARINGS

00-3949

JL

1. Approval of the minutes of the meeting held March 29, 2001.
2. Consideration of a Petition to Amend the Boundaries of the Lakewood Ranch Community Development District 2, Manatee County, Petitioner: Lakewood Ranch Community Development District 2 (FLWAC Case No. CDD-00-004).

On September 7, 2000, the Lakewood Ranch Community Development District (CDD) 2 submitted a petition to amend its boundaries pursuant to Chapter 190, F.S. The petition proposes to contract a parcel of land comprising approximately 706 acres from the Lakewood Ranch CDD 2. After contraction, the Lakewood Ranch CDD 2 will consist of approximately 1,374 acres. (The contraction parcel is proposed for inclusion in the boundaries of the proposed Lakewood Ranch CDD 5 addressed in Agenda Item 3.) As a result of the proposed contraction, 573 fewer single-family residential units will be included within the District. The filing of the contraction petition by the Board of Supervisors of the Lakewood Ranch CDD 2 constitutes consent of the landowners within the CDD. Additionally, the Lakewood Ranch CDD 2 has written consent to amend the CDD from the owners of 100% of the real property to be deleted from the District.

A public hearing was conducted by the Division of Administrative Hearings (DOAH) pursuant to Chapter 190, F.S., in Bradenton, Florida, on December 20, 2000. The DOAH Administrative Law Judge submitted a Report to the Commission on January 23, 2001, making affirmative conclusions on all six factors pursuant to section 190.005(1)(e), F.S.

Upon request of the Secretary, the Tampa Bay Regional Planning Council reviewed the petition and submitted a letter on October 6, 2000, indicating the Council had no questions or concerns on the amendment of the boundaries.

Pursuant to Chapter 120, F.S., notices of proposed rulemaking were published in the *Florida Administrative Weekly*. No public hearings were requested and no written comments were received as a result of the notices.

**RECOMMENDATION:**

Approve the proposed final rule amending the boundaries of the Lakewood Ranch Community Development District 2 and authorize the Secretary to file for rule adoption.

**BACK-UP:**

Petition filed by the Lakewood Ranch Community Development District 2 on September 2, 2000.

Tampa Bay Regional Planning Council's letter of comment received on October 6, 2000.

DOAH's Report to the Commission received on January 23, 2001.

Proposed Final Rule package.

3. **Consideration of a Petition to Establish the Lakewood Ranch Community Development District 5, Manatee County, Petitioner: SMR Communities Joint Venture (FLWAC Case No. CDD-00-003).**

On September 7, 2000, SMR Communities Joint Venture submitted a petition to establish the Lakewood Ranch Community Development District (CDD) 5 pursuant to Chapter 190, F.S. The land area proposed to be served by the Lakewood Ranch CDD 5 consists of approximately 1,173 acres. All proposed lands are within unincorporated Manatee County. There are no parcels located within the external boundaries of the proposed Lakewood Ranch CDD 5 to be excluded from the District. The proposed development within the District contemplates the construction of 908 single-family residential units, 208 condominium units, a golf course and country club facility, and a sports/fitness complex. The Petitioner has obtained written consent to establish the District from the owners of 100% of the real property located within the proposed Lakewood Ranch CDD 5. If established, the District intends to participate in the construction of certain facilities and services such as roadways, lighting, utilities, drainage, landscaping/lakes/irrigation, security, fire, and parks and recreation of the lands within the District.

A public hearing was conducted by the Division of Administrative Hearings (DOAH) pursuant to Chapter 190, F.S., in Bradenton, Florida, on December 20, 2000. The DOAH Administrative Law Judge submitted a Report to the Commission on January 24, 2001, making affirmative conclusions on all six factors pursuant to section 190.005(1)(e), F.S.

Upon request of the Secretary, the Tampa Bay Regional Planning Council reviewed the petition and submitted a letter on October 6, 2000, indicating the Council had no questions or concerns related to the establishment of the Lakewood Ranch CDD 5.

Pursuant to Chapter 120, F.S., notices of proposed rulemaking were published in the *Florida Administrative Weekly*. No public hearings were requested and no written comments were received as a result of the notices.

**RECOMMENDATION:**

Approve the proposed final rule establishing the Lakewood Ranch CDD 5 and authorize the Secretary to file for rule adoption.

**BACK-UP:**

Petition filed by SMR Communities Joint Venture on September 7, 2000.

Tampa Bay Regional Planning Council's letter of comment received on October 6, 2000.

DOAH's Report to the Commission received on January 24, 2001.

Proposed Final Rule package.

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**ANNOUNCEMENT**

Staff supporting the Florida Land and Water Adjudicatory Commission has moved from Room 2105 to Room 1703 of the Capitol. Please address deliveries and inquiries accordingly. The telephone and facsimile numbers remain the same; telephone number 850-488-7793 and facsimile number 850-922-0666.