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# Board of County Commissioners

Hernando County

## PLANNING DEPARTMENT

Government Center / Administration Building  
20 North Main Street, Room 262  
Brooksville, Florida 34601-2807



Planning - (904) 754-4057  
Fax - (904) 754-4420

April 26, 1995

Mr. Charles L. Harwood  
Executive Director  
Withlacoochee Regional Planning Council  
1241 SW 10th Street  
Ocala, FL 34474-2798

RE: Notice of Abandonment of the Oak Sound Development of Regional Impact (DRI)

Dear Mr. Harwood:

Pursuant to Rule 9J-2.0251, the Hernando County Board of County Commissioners issued a Notice of Abandonment for the Oak Sound Development of Regional Impact at their April 18, 1995, hearing. The Notice and Resolution #95-14 were recorded pursuant to Section 28.222, on April 21, 1995.

Attached is a copy of the Notice of Abandonment for the Oak Sound Development of Regional Impact and Resolution #95-14 for your records.

If you should require anything further, please contact this office.

Sincerely,

  
Jerry Greif  
Chief Planner

cr

Attachment: Notice of Abandonment and Resolution #95-14

Case 80

NOTICE OF ABANDONMENT

NOTICE IS HEREBY GIVEN pursuant to the provisions of Section 380.07, Florida Statutes, and Rule 9J-2.0251, Florida Administrative Code that the Oak Sound Development of Regional Impact has been abandoned and that said abandonment has been approved and authorized by the Board of County Commissioners of Hernando County, Florida at a public hearing on February 7, 1995, which said approval and authorization has been evidenced by Hernando County Resolution 95-14, a certified copy of said resolution is attached hereto, labeled Exhibit "A", and made a part hereof as though incorporated in haec verba.

The abandonment of the Oak Sound Development of Regional Impact involved the following:

OWNER:

Oman Construction Company

FILE# 95-012264  
HERNANDO COUNTY, FLORIDA

RCD Apr 21 1995 03:46pm  
KAREN NICOLAI, CLERK

PURPOSE:

Request to abandon the Oak Sound Development of Regional Impact.

GENERAL LOCATION:

Located in Southwest Hernando County, West of U.S. 19, South of the Weeki Wachee River and North of C.R. 595.

LEGAL DESCRIPTION:

All or portions of the following sections: 32, 33; Township 22 South, Range 17 East; and all or portions of the following sections: 4, 5, 7, 8, 9, 16, 17, 18, 19, 20, 21, 30; Township 23 South, Range 17 East.

DATE OF ABANDONMENT OF DEVELOPMENT OF REGIONAL IMPACT:

February 7, 1995.

IN WITNESS WHEREOF, this Notice of Abandonment has been executed on the 18th day of April, 1995.

**\*\* OFFICIAL RECORDS \*\***  
**BK: 1012 PG: 1507**

**BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA**

Attest: *Karen Nicolai*  
KAREN NICOLAI



By: *John Richardson*  
JOHN RICHARDSON  
Chairman

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF  
HERNANDO COUNTY, FLORIDA, APPROVING THE ABANDONMENT OF  
THE OAK SOUND DEVELOPMENT OF REGIONAL IMPACT**

**WHEREAS**, Hernando County previously approved a development order pursuant to Chapter 380, Florida States, F.S., on June 19, 1984, for the Oak Sound Development of Regional Impact (hereinafter called "the DRI"), which authorized the development of certain properties in Hernando County consisting of approximately 6,061; and

acres

**WHEREAS**, on April 19, 1985, the Oak Sound Development Order, as a result of a settlement stipulation, was amended to reduce the amount of commercial uses allowed, and extend the buildout date an additional five years; and,

**WHEREAS**, the owners of the property have not commenced development of the project because it just recently received all permits needed for construction; and,

**WHEREAS**, the Southwest Florida Water Management District desires to purchase the DRI property and add to lands currently owned by the District for purposes of managing, preserving, and protecting the environmentally sensitive Weekiwachee riverine system; and,

**WHEREAS**, future development plans for the DRI property by the Southwest Florida Water Management District involve only minimal development directly related to managing, preserving, and protecting the Weekiwachee riverine system; and,

**WHEREAS**, the Southwest Florida Water Management District desires to abandon the DRI because keeping the DRI in place would result in numerous unnecessary affirmative obligations imposed by the development order; and,

**WHEREAS**, W.L. Cobb Construction Company, a wholly owned subsidiary of Oman Construction Company, Inc., has submitted an application to Hernando County requesting approval of the abandonment of the DRI; and,

**WHEREAS**, Hernando County Board of County Commissioners, as governing body of the local government having jurisdiction, and hereafter referred to as the County, is authorized and empowered to consider an Application for Abandonment of a Development of Regional Impact; and,

**WHEREAS**, the public notice requirements of Hernando County and Rule 9J-20.0251, Florida Administrative Code, have been satisfied and 45 day notice of the scheduled public hearing has been given to the Department of Community Affairs, ("DCA") and the Withlacoochee Regional Planning Council, ("WRPC") initially on December 20, 1994.

**WHEREAS**, Hernando County, on February 7, 1995, held a duly noticed public hearing on the Application for Abandonment of a Development of Regional Impact, and has heard and considered the testimony and documents received thereon; and

**WHEREAS**, Hernando County received and considered public comments and the public was afforded the opportunity to participate in the Application for Abandonment of a Development of Regional Impact hearing on the Oak Sound Development of Regional Impact ("DRI") before Hernando County; and

**WHEREAS**, Hernando County has reviewed the above referenced documents, as well as all related testimony and evidence submitted by each party and members of the general public;

**WHEREAS**, Hernando County has made the following findings of fact and conclusions of law concerning abandonment of the DRI development order:

A. The primary reason for abandonment of the DRI is that the owners of the property have decided to sell the Oak Sound property to the Southwest Florida Water Management District.

B. To date, no on-site development on the property has occurred.

C. Since no development has occurred on-site, no material adverse impacts have occurred to either existing resources or facilities because of approved DRI development. The property, once the purchased by the District is completed, will be preserve.

D. The developer has complied substantially with all applicable conditions of the DRI development order.

E. Although no development has occurred on the Oak Sound property, certain off-site improvements were made by the developer to preserve the effectiveness of the Oak Sound Development Order, including the relocation of CR 595, and providing limerock and fill for Jenkins Creek. No compensation will be made to the developer for expenditures associated with the improvements made to maintain and preserve the development order.

F. The developer has not relied upon benefits granted to authorized developments of regional impact, pursuant to Chapters 163, 403 and 380, F.S., which would not otherwise be available after abandonment.

G. Specific future development plans for the property have not been formulated by the Southwest Florida Water Management District at this time; however, any future development will be consistent with the Water Management District's intent to preserve the property.

H. Any future development after abandonment shall be consistent with the State Comprehensive Plan, the Withlacoochee Regional Planning Council Regional Policy Plan, and the Hernando County Comprehensive Plan. Current development is consistent with the existing Hernando County Comprehensive Plan, the State Comprehensive Plan, the State Land Development Plan, and the Withlacoochee Regional Planning Council Policy Plan.

*Comprehensive Regional*

I. The development is eligible to request abandonment pursuant to Rule 9J-2.0251, F.A.C., and Subsection 380.06(26), F.S.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Hernando County, Florida, in regular session duly assembled this 7th day of February, 1995, that pursuant to the authority granted in Subsection 380.06(26), F.S. and Rule 9J-2.0251, F.A.C., the development order approving the Oak Sound Development of Regional Impact is hereby abandoned with conditions (see Exhibit "A").

DONE AND RESOLVED this 7th day of February, 1995.

BOARD OF COUNTY COMMISSIONERS  
OF HERNANDO COUNTY, FLORIDA



ATTEST:

By: *Karen Neddai*  
Clerk

By: *John Richardson*  
John Richardson, Chairman

APPROVED AS TO LEGAL FORM AND CONTENT

Office of the County Attorney

BY: *[Signature]*  
ATTORNEY

EXHIBIT A

Conditions of Approval for Abandonment -  
Oak Sound Development of Regional Impact

1. The owner agrees to waive, relinquish and release any vested rights under Subsection 163.3167(8), Florida Statutes, which may have arisen by virtue of the approved DRI.
2. Future development on this property shall not exceed 80 percent of any DRI threshold or guideline. During the next Evaluation and Appraisal Report (EAR) of the Hernando County Comprehensive Plan, the Southwest Florida Water Management District shall work with Hernando County to properly classify this property to achieve the preservation purposes for which the Southwest Florida Water Management District purchased the property.
3. Existing and future development on this property shall be subject to the Comprehensive and Land Development Regulations for Hernando County in effect at the time of submittal of any plan or plat for review and approval by the County, including concurrency.
4. All development on this property will be done in compliance with all applicable Federal, State, local and regional agency permitting requirements.
5. The developer, W.L. Cobb Construction Company, Inc., a wholly owned subsidiary of the Oman Construction Company, Inc., will be required to modify all agency permits associated with the Oak Sound DRI so as to transfer the Department of Environmental Protection (fka Department of Environmental Regulation) and the Army Corp of Engineers permits to the Southwest Water Management District and Hernando County jointly, after the Southwest Florida Water Management District closes on the property.

\*\* OFFICIAL RECORDS \*\*  
BK: 1012 PG: 1511

I hereby certify that the foregoing is a true and correct copy of the original:

Karen Nicolai, Clerk Circuit Court Hernando  
County, Florida

*Judy St. Rochus, Deputy*

RECEIVED FEB 23 1995

*[Handwritten initials]*

# Board of County Commissioners

*Hernando County*



## PLANNING DEPARTMENT

Government Center / Administration Building  
20 North Main Street, Room 262  
Brooksville, Florida 34601-2807

Planning - (904) 754-4057  
Fax - (904) 754-4420

February 21, 1995

*Slc 660-4057*

Mr. Charles L. Harwood  
Executive Director  
Withlacoochee Regional Planninnnnng Council  
1241 SW 10th  
Ocala, FL 34474-2798

RE: Oak Sound Development of Regional Impact (DRI) Abandonment

Dear Mr. Harwood:

Consistent with Rule 9J-2.0251, please find an original executed resolution abandoning the Oak Sound DRI, with conditions, as approved by the Board of County Commissioners on February 7, 1995.

Within 15 days of the expiration of the appeal period, Hernando County will issue a notice of abandonment of the Oak Sound DRI which shall be recorded by the developer in accordance with Section 28.222, Florida Statutes.

If you should require anything further, please contact this office.

Sincerely,

*[Handwritten signature of Jerry Greif]*  
Jerry Greif  
Chief Planner

cr

Attachment: Resolution #95-14



**RESOLUTION 95-14**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF  
HERNANDO COUNTY, FLORIDA, APPROVING THE ABANDONMENT OF  
THE OAK SOUND DEVELOPMENT OF REGIONAL IMPACT**

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**WHEREAS**, on April 19, 1985, the Oak Sound Development Order, as a result of a settlement stipulation, was amended to reduce the amount of commercial uses allowed, and extend the buildout date an additional five years; and,

**WHEREAS**, the owners of the property have not commenced development of the project because it just recently received all permits needed for construction; and,

**WHEREAS**, the Southwest Florida Water Management District desires to purchase the DRI property and add to lands currently owned by the District for purposes of managing, preserving, and protecting the environmentally sensitive Weekiwachee riverine system; and,

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**WHEREAS**, Hernando County has reviewed the above referenced documents, as well as all related testimony and evidence submitted by each party and members of the general public;

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F. The developer has not relied upon benefits granted to authorized developments of regional impact, pursuant to Chapters 163, 403 and 380, F.S., which would not otherwise be available after abandonment.

G. Specific future development plans for the property have not been formulated by the Southwest Florida Water Management District at this time; however, any future development will be consistent with the Water Management District's intent to preserve the property.

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I. The development is eligible to request abandonment pursuant to Rule 9J-2.0251, F.A.C., and Subsection 380.06(26), F.S.

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DONE AND RESOLVED this 7th day of February, 1995.

BOARD OF COUNTY COMMISSIONERS  
OF HERNANDO COUNTY, FLORIDA

(SEAL)

ATTEST:

By: Karen Norder

Clerk

By: John Richardson

John Richardson, Chairman

APPROVED AS TO LEGAL FORM AND CONTENT

Office of the County Attorney

BY: Carl [Signature]

ATTORNEY

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