

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION AGENDA

March 9, 2004

1. **Approval of the minutes of the meeting held November 12, 2003.**
2. **Consideration of a Petition to Contract the Boundaries of the Lakewood Ranch Community Development District 5 in Manatee County. Petitioner: Lakewood Ranch Community Development District 5 (FLWAC Case No. CDD-03-009).**

On July 24, 2003, the Lakewood Ranch Community Development District 5 (District) submitted a petition proposing to amend its boundaries pursuant to Chapter 190, F.S. The petition submitted by the District's governing Board of Supervisors requests that the Florida Land and Water Adjudicatory Commission (Commission) amend the District's boundaries to delete one contraction parcel consisting of approximately 40.22 acres and one contraction parcel consisting of approximately 0.77 acres for a total of approximately 41 acres from the lands to be served by the District. The District is currently comprised of approximately 1,173 acres. After amendment, the District will consist of and continue to serve approximately 1,132.20 acres. The contraction parcels are generally located south of the Braden River, north of the Manatee/Sarasota County line, east of Lakewood Ranch Boulevard, and west of Lorraine Road, within Manatee County, Florida. The contraction parcels have no infrastructure and are not planned to include any of the residential units or golf course planned for the District. In the future, the contraction parcels may be proposed for inclusion in a future community development district not yet established. The petition contains written consent to amend the boundaries of the District from the contraction parcel landowners.

Upon request of the Secretary, the Department of Community Affairs (DCA) reviewed the petition from the standpoint of its programs and responsibilities, and the requirements of section 190.005(1)(e), F.S. On September 4, 2003, the DCA submitted a letter finding the petition consistent with the Manatee County comprehensive plan and the associated development of regional impact development order.

Pursuant to Chapter 190, F.S., a public hearing was conducted by the District's governing Board of Supervisors on October 24, 2003, in Bradenton, Florida. The District's governing Board of Supervisors submitted a Report to the Commission on November 21, 2003, making affirmative conclusions on all six factors, pursuant to section 190.005(1)(e), F.S.

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 of proposed rulemaking.

Recommendation:

Approve the proposed final rule and authorize the Secretary to file for final rule adoption.

Back-Up:

Petition submitted by the Lakewood Ranch Community Development District 5 on July 24, 2003.

DCA's comment letter received on September 4, 2003.

Lakewood Ranch Community Development District 5 Board of Supervisors' Report received on November 21, 2003.

Proposed Final Rule.