

# THE TAMPA TRIBUNE

1 Year — No. 120

\*\*

Tampa, Florida, Thursday, May 21, 1987

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180 Pages — 25 Cent

Thursday, May 21, 1987

The Tampa Tribune — 3

## CLASSIFIED

### Legals

Florida the above-named Debtor of P. O. Box 1814, Riverview, Florida 33569, seeking relief under Chapter 9 of the Bankruptcy Code, It is ordered and notice is hereby given that:

1. The last date for filing an objection to the petition by any party in interest is the 15 day of June, 1987.

2. The Debtor will file a list of creditors. Any creditor holding a listed claim which is not listed as disputed, contingent, or unliquidated as to amount, may, but need not, file a proof of claim in this case. Creditors whose claims are not listed or whose claims are listed as disputed, contingent or unliquidated as to amount and who desire to participate in the case or share in any distribution must file their proofs of claims on or before the 15 day of July, 1987 which date is hereby fixed as the last day for filing a proof of claim.

Any creditor who desires to rely on the list has the responsibility for determining that the claim is accurately listed.

A proof of claim should be filed with the Clerk of the Bankruptcy Court, P. O. Box 1000, Tampa, FL 33601

3. The filing of the petition by the petitioner above-named operates as a stay of the commencement or the continuation of any action against the petitioner, its property, or an officer or inhabitant of the petitioner, which seeks to enforce any claim against the petitioner, or of any act or the commencement or continuation of any court of other proceeding to enforce a lien on the property of the petitioner, or a lien on or arising out of taxes or assessments due the petitioner, and of the enforcement of any set-off or counterclaim relating to a contract, debt, or obligation of the petitioner.

The court may direct that certain notices will not be mailed to creditors who do not file a written request with the court for receipt of all notices.

Dated: May 5 1987

By the Court  
Honorable Alexander  
L. Paskay

Chief U.S. Bankruptcy Judge,  
Middle District of Florida  
2462 5/14,21,28/87

IN THE UNITED STATES  
BANKRUPTCY COURT IN  
AND FOR MIDDLE  
DISTRICT OF  
FLORIDA, TAMPA DIVISION

IN Re:  
LAKE GRADY ROAD  
AND BRIDGE DISTRICT,  
HILLSBOROUGH COUNTY,  
FLORIDA  
Debtor.

Case No. 87-1590  
CHAPTER 9

AMENDED ORDER FIXING  
TIMES FOR  
FILING OBJECTIONS  
TO PETITION,

FILING PROOF OF CLAIM  
AND NOTICE THEREOF AND  
OF AUTOMATIC STAY

To the Debtor, creditors,  
and other parties in interest:

A petition having been filed  
on March 24, 1987 by Lake  
Grady Road and Bridge Dis-  
trict of Hillsborough County,



# East Hillsborough Tribune

Brandon  
Plant City  
South County

Tuesday May 5, 1987

A section of The Tampa Tribune

4-EH — The Tampa Tribune

## Landowner wrongfully charged

TAMPA — Road and bridge district special taxes charged to a Riverview area landowner in 1985 were invalid, a circuit court ruled last week.

But Sylvan Properties Inc. had not paid the special assessments to the Lake Grady Road and Bridge District after a circuit court had said similar taxes for the years 1980 through 1984 were invalid.

The ruling on the earlier taxes, later affirmed by an appellate court, "was binding on me," said Hillsborough Circuit Court Judge John M. Gilbert of his 1985 taxes ruling. The earlier ruling "was the law of the case and it was over with."

The tax had been levied to pay for miles of roads and sidewalks in the district. No sidewalks and only half the roads were built, none of them on Sylvan property.

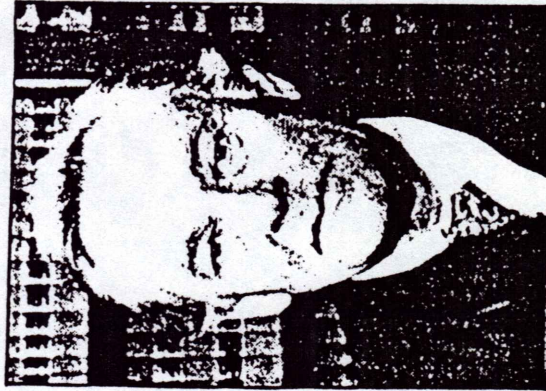


# East Hillsborough Tribune

Brandon  
Plant City  
South County

Saturday April 18, 1987

A SECTION OF THE TAMPA TRIBUNE



U.S. Judge Alexander Paskay gave up his right of jurisdiction in case.

## Bank gets OK to sue Lake Grady district

By CHERYL MICHAELS  
Tribune Staff Writer

RIVERVIEW — A federal bankruptcy judge Friday gave a Southeast Bank subsidiary the right to pursue its back tax and fee disputes against a special taxing district in circuit court.

That is despite the district's petition for financial reorganization in bankruptcy court, which temporarily had halted those proceedings.

Chief Judge Alexander Paskay gave up his right of jurisdiction over back tax and fee cases pending circuit court between Sylvan Properties Inc. and the Lake Grady

Road and Bridge District.

Sylvan owns 472 acres in the district about two miles southeast of here. More than \$437,000 in fees is at stake.

"I'll need to look at our alternatives," Robin Trupp, the district's attorney, said after the decision.

Trupp told Paskay the district wants Sylvan to pay so it can pay its own debt, which stems from a \$2.3 million bond issue.

The Lake Grady district was created in 1973 by the Shadow Run subdivision developer. Bonds were sold the following year to build 15 miles of roads and sidewalks there.

But principal and interest pay-

ments haven't been made on the bonds for seven years, leading to the district's Chapter 9 appeal to bankruptcy court.

The Chapter 9 petition is a rarely used mechanism to protect cities and special districts from creditors.

During Friday's hearing, Scott Ilgenfritz, Sylvan's attorney, told Paskay the other court cases were appropriate to a state circuit court, rather than federal.

"There aren't any federal issues raised," he said. "It would be better disposed of in the state court."

In those circuit court cases, Sylvan contests taxes and fees levied for 1980 to 1986.

Sylvan contends the district had no statutory authority to levy special assessments against its property. It also protests retroactive ad valorem taxes as discriminatory because they haven't been levied against other district landowners.

Circuit Judge J.C. Cheatwood found in July 1985 that the district had no right to levy the special assessments. It noted the district did not attempt to levy ad valorem taxes and that no roads were built on Sylvan's land.

The 2nd District Court of Appeal upheld the decision less than a year ago.

The district in September 1986

levied \$109,000 in retroactive ad valorem taxes for 1980 through 1986 to collect it they could of the back taxes.

Sylvan responded with a lawsuit protesting the retroactive 1980-1986 taxes and the 1986 assessments. Second suit contests the 1985 assessment.

Paskay's ruling allows both to continue, enabling Sylvan to continue its efforts to block the May sale of tax certificates to recoup some lost fees.

Fred Martin, executive assistant tax collector, has said the county will do whatever the court asks.



Apollo Beach • Bloomingdale • Dover • Gibsonton • Mango • Riverview • Ruskin • Seffner • Sun City Center • Thonotosassa • Valrico • Wimauma

# East Hillsborough Tribune

Brandon  
Plant City  
South County

Wednesday April 15, 1987

A SECTION OF THE TAMPA TRIBUNE

6-EH — The Tampa Tribune

## Land-use proposal passes 1st test

By B.C. MANION  
Tribune Staff Writer

TAMPA — A land-use change that would double the density of development south of Shadow Run subdivision has cleared its first hurdle.

Members of the Hillsborough County City-County Planning Commission voted Monday to study a land-use change to permit up to two houses per acre on 1,827 acres near Balm-Riverview Road, just south of Lake Grady. Presently, up to one house per acre is allowed on the land.

The original request, by Sylvan Properties Inc., was to change the designated land use for 571 acres.

The Planning Commission staff has recommended including in the study the majority of the land north of the Big Bend Area Group's proposed plan amendment and south of Lake Grady. The Tropical Acres Mobile Home Park is already developed and has been excluded from the study, said planner Rebecca Chittum.

The Big Bend Area Group has proposed a land-use change covering 150 square miles, just south of the area contained in the Lake Grady plan amendment, Chittum said.

In justifying its proposed change, Sylvan has cited the Big Bend land-use amendment and the opening of Interstate 75.

There was no public opposition or support at Monday's hearing.

The proposed land-use change has been heralded by some as a solution to the neighborhood's financial woes.

Sylvan's land is part of the Lake Grady Road and Bridge District, which is facing a \$1.5 million debt stemming from the sale of \$2.3 million in bonds in 1974 to build roads and sidewalks.

District commissioners have said the tax base isn't sufficient to enable them to make payments on the debt. Building more homes in the subdivision would broaden the tax base, some district commissioners have said.

In other action, planning commissioners approved land-use studies for:

- A change to permit up to 20

residential units per acre and a maximum of 110,000 square feet of commercial uses on 24.6 acres on the east side of U.S. Highway 301, about one-half mile south of Bloomington Avenue.

- A change to permit up to 20 residential units per acre, multi-use projects and mixed-use developments on 556 acres at all four quadrants of the Interstate 75-Gibsonton Drive intersection.

- A change to permit light industrial uses on about 70 acres south of Palm River Road and west of 82nd Street.

- A change to permit commercial uses within a half-mile radius of the Interstate 4-McIntosh Road interchange.



# East Hills

Brandon  
Plant City  
South County

Monday April 13, 1987

A SECTI

## Taxing district debtment

By CHERYL MICHAELS  
Tribune Staff Writer

RIVERVIEW — Mike Sutherland planned to sell his three-bedroom, brick home when it was finished four years ago.

But Lake Grady went dry, making the home harder to sell. And though the lake has been refilled, he and Shadow Run still are under the shadow of a \$1.5 million debt from a special taxing district that ran out of bond money and left the subdivision without some of its roads.

"Everything has fallen on the property owners here at Shadow Run," says Sutherland, a builder and Shadow Run resident. "A lot of these people didn't realize early on ... the magnitude of these problems."

Shadow Run Subdivision promoters promised golden sunsets on a shimmering lake and "peaceful country stillness."

Subdivision residents, for a while, had neither lake nor tranquility.

"This would have been a fantas-

tic area out here ahead and develop they thought it would Run resident Chester

Instead, Shadow fought for the lifes promised. They resto fixing a dam built b owned the land bef er. But they're still other problems.

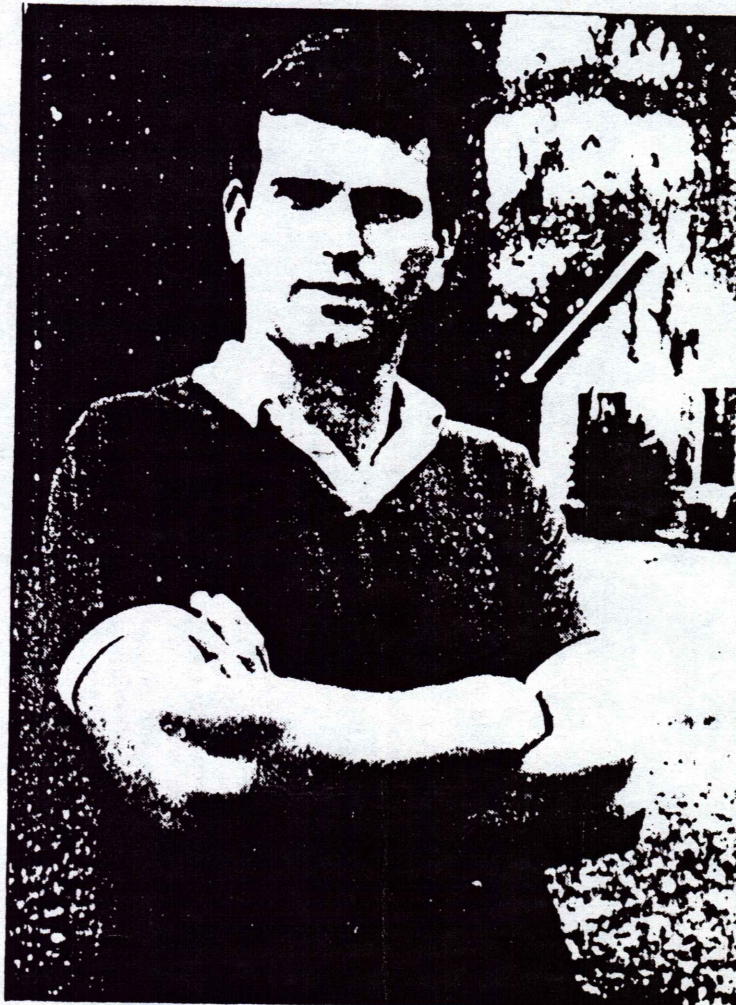
Shadow Run's sto both for residents and bought \$2.3 million l roads and sidewalks.

tricts still can be formed under the Community Development District Act with residents' and state or county approval.

The Lake Grady district now is one of nine special districts in Hillsborough County. The exact number of special tax districts statewide is hard to determine because they split or became inactive without the state knowing, state officials say.

An ongoing state study draft report shows 500 to 700 special dis-

See LAKE, Page 8EH



Michael Sutherland's plans to sell his new home in three y



# rough Tribune

Brandon  
Plant City  
South County

THE TAMPA TRIBUNE

## adows development

now turns to U.S. Bankruptcy Court for approval of a reorganization plan for paying the bond debt, the state is studying ways to make special districts, like Shadow Run's Lake Grady Road and Bridge District, more accountable for their actions.

State House of Representatives Speaker John Mills this year has forbidden local bills to create independent special taxing districts. Proposed legislation to make such districts more accountable is anticipated as early as next year.

Nonetheless, developers have an increasing awareness of special districts as a method of financing road and other improvements needed for rapidly growing areas such as Interstate 75.

The Lake Grady district was one of about 20 created when it was relatively easy for a developer to start a district through an election, without concern for future residents.

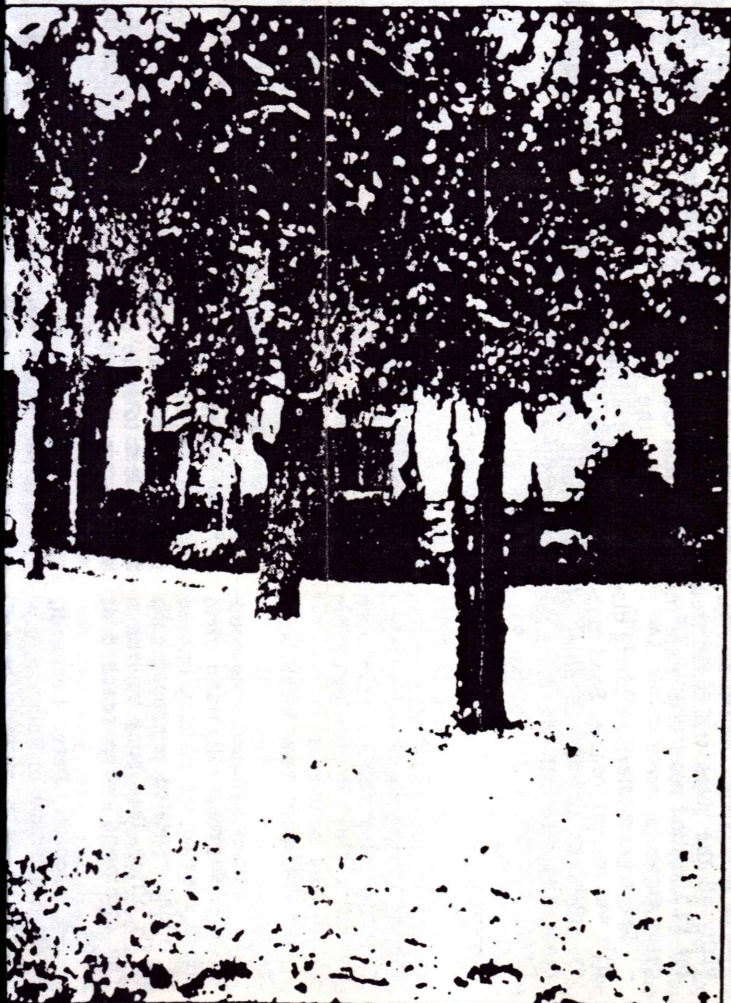
The statute under which road and bridge districts were created was repealed in 1984 in a code housecleaning. However, such dis-

tricts still can be formed under the Community Development District Act with residents' and state or county approval.

The Lake Grady district now is one of nine special districts in Hillsborough County. The exact number of special tax districts statewide is hard to determine because they split or became inactive without the state knowing, state officials say.

An ongoing state study draft report shows 500 to 700 special dis-

See LAKE, Page 8EH



Tribune photograph by RON THOMPSON

when Lake Grady went dry.



# Lake

• From Page 1EH  
tricts in 1983-84.

## A taxing district begins

Shadow Run's difficulties date to 1973, when Suncoast Highland Corp. of Clearwater formed a 1,112-acre special taxing district to build roads and sidewalks.

As state law allowed then, Suncoast Highland sought an election to create the district two miles southeast of Riverview. Then it cast virtually all the votes and authorized the \$2.3 million bond sale, state records show.

Seven years later, the taxing district was in real trouble. Bond money, raised to finance 15 miles of roads and sidewalks in the Lake Grady district, was depleted with only half the roads and none of the sidewalks built.

Property taxes were to raise enough to retire the \$2.3 million debt by 2004, but no bond principal and interest payments have been made since 1980, putting the district \$1.5 million in arrears.

It's hard to say what went wrong.

C. Thomas Petersen, who headed the Suncoast Highland firm which created the district, refused to return repeated telephone calls to his office, then hung up with a "no comment" when reached at home.

An associate, Peter Lenhardt, referred questions to Petersen, saying he and other owners had

done its job," says Shadow Run Homeowners' Association President Susan Mountain. "It's hard to point a finger. If we could do that, we could correct it."

## Residents fight back

In 1978, the district angered residents with plans to increase its assessment levies to more than \$119 a year for 28 years, or a lump sum of \$4,400. Residents convinced the district to lower each lump fee to \$975 by agreeing not to sue.

Although they didn't sue, the residents did complain to state government. Spurred by these complaints, the Auditor General in 1980 issued a report on the district's first five years of operations, finding the district overcharged landowners, kept inadequate records, and spent some money questionably. For example, it questioned \$6,145 spent to fix developer's equipment.

The audit also questioned loans and sales between the district and the adjacent Lake Grady Road and Bridge District Extension No. 1, another Suncoast Highland-created special taxing district. The Lake Grady district borrowed \$232,000 from the extension district and sold equipment to the extension district for \$103,000, the audit noted.

In a response made part of the audit, district officials said the audit failed to account for costs, like collection fees to settle delinquent tax cases, when it decided landowners were overcharged. They promised to keep proper records.

"It is recognized that the devel-

bond defaults.

Today the subdivision still is without the boat ramp, picnic area, and clubhouse residents were promised.

However, the 7.6 miles of roads, not built to county standards, were improved and accepted by the county for maintenance, except the road above Lake Grady dam.

The developer-controlled board was ousted about three years ago when Dave Leneberg, who now chairs the district commission, and Steve Jorgensen, a developer who lives in the district, sought the governor's help.

Then-Gov. Bob Graham interceded on grounds there had been no election for several years.

## A new start

New commissioners rebuilt the Lake Grady dam, which broke three and a half years ago, forcing them to temporarily drain the lake. But so far they haven't resolved major problems.

"We exist only to repay the bonds," Commissioner Peter Ware said, adding they have no plans to finish the roads. That, he said, would be up to whomever eventually develops remaining acreage.

The district filed for financial reorganization under Chapter 9, a rarely used mechanism to protect municipalities and special tax units from creditors.

Alexander Paskay, chief judge of U.S. Bankruptcy Court, Middle District of Florida,

study's goal is to suggest legislation to make districts more accountable, state officials say.

Reforms, though, can't protect people from overambitious developers who push a project before its time, says Terry Lewis, a Tallahassee attorney for the Association of Special Districts.

Reforms also don't deal with districts formed under old laws. Nor does the road and bridge law's repeal affect prior districts' status, Lewis says.

Furthermore, it's not just a matter of having laws. It's a matter of enforcing them. And that raises the possibility of dissolving problem districts and assuming their debts — a sensitive topic for government officials.

"The people of the state of Florida shouldn't be held responsible for a particular district's inability to pay," says Terry Shoffstall, the Legislative Auditing Committee's staff director.

## Some positive signs

So the district works in bankruptcy court and residents hope I-75 corridor growth won't pass them by.

There are positive signs.

Sutherland is building his fifth home in Shadow Run and it's already sold. After taking his house off the market a while, he put it on the market again and it is attracting more potential buyers.

Real estate agents like Patrick Luken are trying to promote the subdivision



the time merely rubber-stamped Petersen's decisions.

Newspaper files show Petersen conceded years ago that everything promised wasn't delivered, but said the company did its best in light of financial and technical difficulties.

District records show there were money problems at least as early as 1975, when unbudgeted drainage costs caused price overruns. Money was spent to fill 11 lots submerged in Lake Grady, which a report notes would help the district with drainage and would help Suncoast High-land recapture "previously unsaleable lots."

These days, current district commissioners say they haven't been able to pay the bond debts because the subdivision was never fully developed, limiting their tax base.

The district also has had trouble collecting special assessments. Two lawsuits involving the district's major landholder, Sylvan Properties, still are pending in Hillsborough County Circuit Court. The district claims Sylvan owes \$437,000; Sylvan claims the district did not have the authority to levy the assessments.

Residents just blame government for district money troubles.

"I believe the system hasn't

usually result in revoking old bonds, issuing new ones under more favorable terms, and extending payment periods.

Yet Theodore Mazzu, a Dunedin resident with "a number of" the district's \$5,000 bonds, has doubts about being repaid.

"I don't think the Chapter 9 is helpful to bondholders," he said.

He hesitated to take legal action alone and had problems finding other bondholders because the \$5,000 notes are payable to bearers, making owners hard to track.

"I've made no attempt to sell the bonds," Mazzu said. "I understand they have no marketable value."

## Changes proposed

Special districts are being studied by the Florida Advisory Council on Intergovernmental Relations, a joint legislative research committee. The council is recommending changes to reduce confusion on methods to create districts. It also is suggesting a clearinghouse to improve information exchange on districts and their bonds.

House Speaker Mills has asked two House committee staffs to study issues like how districts are formed and how they are used for jobs local government doesn't want. The

"It's improving. A couple of us have done a lot of hard work to motivate (people) in spite of its cloudy history," says Luken, who lives nearby.

Jorgensen, who wants to buy Sylvan's 542 acres, is hoping he can do so by year's end.

Madison Corp. officials, who own 50 Shadow Run lots, want to settle back tax problems so large, custom homes can be built. Officials there say.

And Devco Development Co. has completed 30 percent of Boyette Springs, a 1,300-lot project of \$70,000-\$150,000 homes, says Don Buck, company president.

Devco has a purchase option on 50 acres in the extension district, but will wait to see what happens with that district's \$1.4 million bond issue, Buck said. The extension district is inactive, Lake Grady district commissioners say.

Back taxes were voided on Sylvan's extension district parcel and another tax case is pending, leaving the fate of the extension district's debt unclear.

"We see that the people in that subdivision are going to be in the same situation," Mountain said. "We'd like to prevent that from happening if we can — maybe by finding a conclusion to our situation."



# East Hillsborough Tribune

Brandon  
Plant City  
South County

Saturday, March 28, 1987

A SECTION OF THE TAMPA TRIBUNE

## Lake Grady applies for debtor status

By CHERYL MICHAELS  
Tribune Staff Writer

RIVERVIEW — A special taxing district near here has appealed to a federal bankruptcy court for help in adjusting its debt on a \$2.3 million bond issue to build roads and sidewalks.

The Lake Grady Road and Bridge District filed a petition in U.S. Bankruptcy Court Thursday afternoon acknowledging it has been unable to pay the debt and that bargaining with its creditors was "impractical."

The petition, a rare form of protection from creditors, applies only to municipalities and special taxing districts. It was more extensively used in the 1930s to bail out ailing city governments.

"It's a little too early to speculate as to what the repayment plan will be," the district's attorney, Robin Trupp, said Friday. "We don't know who the bondholders are."

Because the bonds were payable to the bearer and could have been sold many times, no one is sure who owns all the bonds.

Among the district's payment options are refinancing, extending the repayment period and paying less than 100 percent, Trupp said. District assets won't be sold to pay the debt, he said.

The district was founded in 1973 by Suncoast Highland Corp., a Clearwater company that developed the Shadow Run subdivision on Lake Grady southeast of Riverview. The next year, 460 bonds valued at \$5,000 each were sold to build roads and sidewalks there.

But the money ran out when only half of the roads, and none of the sidewalks, were built. And the bond payments stopped in 1980, prompt-

ing complaints from bondholders.

Current commissioners, who took control from Suncoast in 1983, said the 963-acre district doesn't have the tax base to repay the debt because more than half of it remains undeveloped. Their problem is complicated by a longstanding tax dispute with corporate landowners, which has kept the district fighting in court to collect.

An appellate court ruled in January that the district was entitled to some \$900,000 from the Madison Corp. of Clearwater, but two more cases are pending involving Sylvan Properties. Sylvan owns some 535 acres in the district and won a \$578,000 judgment entitling it to a refund.

The district still is trying to recoup as much of it as possible.

Trupp said the commission hopes that, through the federal court case, the stigma associated with the debt will be removed and the property again will become attractive to developers.

The commission's next step is to submit a repayment plan, which will be reviewed by a federal judge. The judge will decide if it's fair after attempts are made to find the bondholders and give them an opportunity to comment.

Trupp said commissioners likely will meet in three weeks to discuss a plan, but no meeting date has been set. When a judge is appointed, the judge will be asked to set a deadline for filing the payment plan and locating bondholders through advertising.

"We're really in a holding pattern until a judge is appointed," he said.

While the case is pending, it won't affect normal district operations, he added.



# East Hillsborough Tribune

Brandon  
Plant City  
South County

Saturday April 11, 1987

A SECTION OF THE TAMPA TRIBUNE

## Court help sought on fees

By CHERYL MICHAELS  
Tribune Staff Writer

RIVERVIEW — Sylvan Properties Inc. wants the federal bankruptcy court to allow it to fight more than \$437,000 in taxes and fees levied by a special taxing district.

The Southeast Bank subsidiary, which owns about 500 acres in the Lake Grady Road and Bridge District, says it needs permission from the bankruptcy court to continue its legal challenge of taxes and fees levied between 1980-86.

Sylvan contends the district had no authority to levy the taxes and fees, in part because Sylvan's property doesn't benefit from district roads.

"We cannot proceed against Lake Grady (without permission)," said Sylvan attorney Scott Ilgenfritz, who filed the bankruptcy court request Tuesday.

The special tax district filed for financial reorganization under Chapter 9, a rarely used mechanism to protect cities and special districts from creditors.

Although Sylvan is a debtor, rather than a creditor, the bankruptcy petition is blocking further action on two Sylvan lawsuits contesting fees.

The suits also are trying to stop

See GRADY, Page 8EH

## Grady

• From Page 1EH

the Hillsborough Tax Collector's Office from in the future selling tax certificates on Sylvan's land to recoup the taxes, Ilgenfritz said Friday. The circuit court should be allowed to halt certificate sales because Sylvan could end up with unjustified liens against its property, he said.

Robin Trupp, the district's attorney, and district chairman Dave Le-neberg could not be reached for comment. Commissioner Dick Ar-ens said he had no comment.

Fred Martin, executive assistant tax collector, said: "We'll do whatever the courts tell us to do."

The special taxing district, formed in 1973 by Shadow Run subdivision's developer, is \$1.5 million in arrears on principal and interest payments stemming from the sale of \$2.3 million in bonds to build

roads and sidewalks in the district two miles southeast of here.

The bankruptcy petition is an attempt to readjust that debt.

District commissioners have said there isn't enough development to repay the bond money.

The 2nd District Court of Appeal last year upheld a lower court ruling finding the district had no authority to levy special assessments for 1980 through 1984. The lower court found the assessment unreasonable because the bond money was spent without completing all the roads, and none of the roads were on Sylvan's property.

The district then attempted to levy retroactive ad valorem taxes on the Sylvan property. Sylvan is protesting the assessments charged for 1985 and 1986, plus retroactive ad valorem taxes.

It now claims those ad valorem taxes are discriminatory because they were levied only against Sylvan.



# East Hillsborough Tribune

Brandon  
Plant City  
South County

Thursday, March 19, 1987

A SECTION OF THE TAMPA TRIBUNE

## Plan calls for twice the homes

By CHERYL MICHAELS  
Tribune Staff Writer

RIVERVIEW — A proposed land-use change, which could double the number of homes allowed south of Lake Grady near here, is being heralded as a solution to the neighborhood's financial woes.

While not everyone agrees that's the case, it appears to have the support of neighborhood leaders.

"I think it may be a step in the right direction," said Susan Mountain, president of the Shadow Run Homeowners' Association.

The land-use change is being proposed by Sylvan Properties, which owns some 540 vacant acres, or roughly half the land, in a special taxing district created southeast of Riverview by Shadow Run Subdivision's developer in 1973. The change is being sought in conjunction with Sylvan's negotiations to sell that property to Steve Jorgensen, a Shadow Run resident and local developer, and Al Ballard, a Bahamian developer.

The proposed change faces its first hurdle April 13 when the Hillsborough County City-County Planning Commission will consider studying the request.

A similar land-use request by Jorgensen was rejected about two years ago, Jorgensen said.

Sylvan justifies the change on the basis of Interstate 75 development and the 150-square-mile land-use change proposed by landowners in the Big Bend area, adjacent to the plan study area.

If the Big Bend plan is approved by the County Commission, it could leave an enclave of rural land in the middle of more intense residential categories, Sylvan asserts.

"For years, the predominant land use in the area was agricultural. However, the construction of Interstate 75 and the increased urbanization of Tampa in general has introduced new market forces and created new land-use demands," the proposal says.

The proposed change would allow two dwellings, instead of one, per acre on Sylvan's property.

Sylvan's land is part of the Lake Grady Road and Bridge District, which faces a \$1.5 million debt it has been unable to pay. The debt stems from the sale of \$2.3 million in bonds in 1974 to build roads and sidewalks.

District commissioners say they haven't had a sufficient tax base to make payments. Building more homes in the subdivision would broaden that tax base, they say.

"The proposed Land Use Plan Amendment may be the only possible remaining solution to the problem," the proposal says. "Increasing the allowable density of Unit 3 (Sylvan's property) will enable the tax district to raise more revenue. ..."

Not everyone agrees.

"I don't think the development of that property truly hinges on this," says Peter Ware, a district commissioner. "What it does is expedite it."

Commission Chairman Dave Le-neberg says increasing the density could make it more financially feasible for a developer.

But he views reorganization of the debt through federal courts as the means to that end. He hopes that in 1½ years the district will have reached an agreement on how to repay bondholders.

The redesignation also would allow the subdivision to remain non-urban, meaning it wouldn't need the same level of public service as urban neighborhoods.

Land developed as Shadow Run north of Lake Grady is zoned for two homes an acre. Sylvan's property is zoned agricultural, which allows one dwelling for every five acres.

The proposal asserts it was originally intended to have the same zoning as the northern property.

The land-use proposal already has gained the endorsement of the Shadow Run Homeowners' Association Board of Directors, but they include conditions. Among them is that lakefront lots and those adjacent to existing development be on one acre, as the current development is. Also top on their list is that the development be done by Jorgensen and Ballard.

The board also wants:

- Property to be subject to restrictions compatible with those in the rest of Shadow Run, which has restrictive covenants administered by the Homeowners' Association;
- The Homeowner's Association to be consulted during the planning process to ensure compatibility;
- Primary entrances to be designed to steer traffic from existing development;
- And new construction to carry its proportional share of responsibility toward the district debt.

Jorgensen, who has been interested in buying the land about 3½ years, is hoping to work with the district and the homeowners on the project.

He's hoping to buy the land by the end of the year, but he's not certain how all the difficulties will be worked out.

"It's not just a money problem," he said, referring to the district's debt. "It's a stigma problem. The stigma is a problem with a bigger risk than anything. We have to give you a worry-free lot."

He estimates the project will cost \$10 million.

Jorgensen hopes to have the first of the homes, in the \$100,000 to \$500,000 price range, completed in 14 to 16 months.

Although lack of financing and inability to gain this same land-use change more than two years ago posed stumbling blocks, Jorgensen is optimistic about his chances of sealing a deal this time.



# East Hillsborough Tribune

Brandon  
Plant City  
South County

Saturday, March 7, 1987

A SECTION OF THE TAMPA TRIBUNE

4-EH — The Tampa Tribune

## Plan would double number of homes at Shadow Run

Sylvan Properties Inc. proposes to change a land-use category to permit two houses per acre instead of one, at the southern Hillsborough subdivision. It would allow 948 homes at the subdivision.

By B.C. MANION  
Tribune Staff Writer

TAMPA — Twice as many homes would be built in the Shadow Run subdivision in southern Hillsborough County under a proposal by Sylvan Properties Inc., a wholly-owned subsidiary of Southeast Bank.

The 542-acre subdivision, near Rhodine and Boyette roads, consists of 474 acres of land suitable for development and 58 acres of lake.

Presently, the county's land-use plan permits one house per acre in the subdivision, or a maximum of 474 houses. The applicants want to change the land-use category to permit two houses per acre, or a total of 948.

In a lengthy proposal submitted to the Planning Commission, the applicants justify the change by saying the site "is in an area, the I-75 (Interstate 75) corridor, that is destined to grow rapidly."

One of Shadow Run's boundaries is adjacent to the Big Bend Area Group's proposed land-use amendment that would create a new community in southern Hillsborough County. That proposed change, largest in the county's history, covers more than 96,000 acres.

The change is one of several proposed in the latest batch of requests filed with the Hillsborough County City-County Planning Commission.

The commission is expected next month to decide whether the requests should be studied. If they vote to study the requests, a final decision by the Hillsborough County Commission would probably occur in about nine months, Planning Commission planners said.

Another request, by Westlea De-

velopment of Arlington, Texas, would permit consideration of hotels and motels at interstate and expressway interchanges.

The changes are needed because currently only neighborhood-serving uses — such as businesses selling convenience goods or personal services — can be considered in residential land-use categories of the plan, Westlea's proposal said. Westlea also is seeking change of the land-use on 11 acres at the northeast corner of Interstate 4 and McIntosh Road to permit motels and hotels and other highway-serving uses.

Presently the land is zoned for one house per acre, with consideration of some commercial uses, but hotels and motels would not be allowed. The change would permit those uses, Westlea's proposal said.

In another request, Ringhaver Equipment Co. is seeking to permit commercial use of 61 acres now designated for residential use, at the southeast and southwest corners of Interstate 75 and Gibsonton Drive.

The land's current designation permits up to 12 apartments, condominiums or townhouses per acre.

In another request, Group VI Investors is seeking to increase the amount of residential development permitted on 24.6 acres on U.S. Highway 301, just south of Bloomingdale Avenue. Presently, up to six residential units per acre could be built. The proposed designation would allow 20 units per acre.

In all cases, a change to the county's land-use plan is only the first step needed to permit the proposed developments. Changes to the land's zoning or, in some cases, the county's zoning code also would be needed.