

**Attached is
Additional Information
for Agenda Item # 18**

**Board of County Commissioners'
Meeting of May 11, 2010**

**First and Only Public Hearing on the Type "C" Site and
Development Plan Application for the Proposed Chason Woods
Conversation Subdivision**

This document distributed: May 5, 2010

BOARD OF COUNTY COMMISSIONERS

INTER-OFFICE MEMORANDUM

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

From: Herbert W. A. Thiele, Esq. 
County Attorney

Date: April 30, 2010

Subject: Chason Woods Agenda Item #
Request for Continuance

Attached hereto please find correspondence received by the Leon County Attorney's Office on Thursday, April 29, 2010, from David A. Theriaque, Esq., the counsel for the Chason Woods project. As you know, this project is scheduled for a public hearing by the Board of County Commissioners on the recommendation of denial by the Leon County Development Review Committee as set forth in the agenda item.

After having discussed the matter with Mr. Theriaque and reviewing the materials contained in the correspondence, it is our position and recommendation to the Board of County Commissioners that the matter not be taken up during the public hearing portion of the agenda of May 11, 2010 but in fact be continued specifically to your Board of County Commissioner meeting of Tuesday, September 7, 2010 for public hearing, if necessary. We have consulted with the County staff who have been involved with this project and they have no objection to the continuance, nor do we believe it will prejudice the position of the County with regard to actions to be taken on this project.

Should you have any questions, please contact the County Attorney's Office.

HWAT:eal
Attachments

cc: Pawez Alam, County Administrator
Vincent Long, Deputy County Administrator
David McDevitt, Director, Growth & Environment Management
Wayne Tedder, Director, Tallahassee-Leon County Planning Department
David A. Theriaque, Esq.

Attachment # 3
Page 3 of 4

THERIAQUE & SPAIN
ATTORNEYS AT LAW

REPLY TO: TALLAHASSEE

April 29, 2010

VIA TELEFACSIMILE AND UNITED STATES MAIL

Herb Thiele, Esquire
County Attorney
301 South Monroe Street, Room 202
Tallahassee, Florida 32301-1861

Re: Chason Woods -- 498-Lot Site Plan -- Request for Continuance

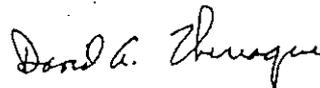
Dear Mr. Thiele:

As the attorney for the Chason Woods project, I hereby request that the Development Review Committee's recommendation regarding the 498-lot site plan be continued from the Leon County Board of County Commissioners' meeting scheduled for May 11, 2010, until September 2010. I am requesting such continuance because our client is in discussions with the Department of Environmental Protection ("DEP") regarding the possible purchase of the subject property. The requested continuance will provide the DEP with an opportunity to determine whether it desires to acquire the property.

I should also note that, if such discussions do not result in the DEP's purchase of the subject property, our client intends to amend its 498-lot site plan by reducing the number of lots to 232 lots. Accordingly, if it becomes necessary for the County Commission to consider this matter in September 2010, we will be requesting that the County Commission remand the matter to the Development Review Committee so our client can undertake such an amendment.

I appreciate your prompt attention to this matter. Please do not hesitate to contact me if you have any questions or need further information.

Sincerely,



David A. Theriaque

DAT/slb

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Page 4 of 4

REPLY TO: TALLAHASSEE

April 29, 2010

VIA TELEFACSIMILE AND UNITED STATES MAIL

Wayne Tedder, AICP
Tallahassee-Leon County Planning Department
435 North Macomb Street
Tallahassee, Florida 32301

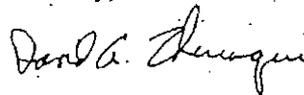
Re: Chason Woods -- 232-Lot Site Plan -- Request for Continuance and Abatement

Dear Mr. Tedder:

As the attorney for the Chason Woods project, I hereby request a continuance of the pre-application hearing currently scheduled for May 5, 2010, and further request that the County postpone any further action on the proposed 232-lot site plan at this time. We are requesting such continuance and abatement in order to provide an opportunity for the Department of Environmental Protection ("DEP") to determine whether it desires to purchase the Chason Woods property. By granting the requested continuance and holding this matter in abeyance, the County will avoid spending any additional time or money reviewing the proposed 232-lot site plan until we determine whether the DEP intends to purchase the site.

I appreciate your prompt attention to this matter. Please do not hesitate to contact me if you have any questions or need further information.

Sincerely,



David A. Theriaque

DAT/slb

cc: Herb Thiele, County Attorney

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