

APPROVED BY THE BOARD OF COUNTY
COMMISSIONERS AT THEIR MEETING
DEC 17 1991 amc/gfc

RESOLUTION NO. 91-M-70

A RESOLUTION PERTAINING TO THE PLAT OF SOMERSET SHORES LOCATED IN ORANGE COUNTY, FLORIDA; DECLARING BUILDINGS LOCATED WITHIN THE PROPERTY DESCRIBED ON THE PLAT OF SOMERSET SHORES WHICH HAVE RECEIVED A CERTIFICATE OF OCCUPANCY AS OF THE EFFECTIVE DATE OF THIS RESOLUTION TO BE NONCONFORMING USES; REQUIRING COMPLIANCE WITH ALL COUNTY REGULATIONS FOR CONSTRUCTION ON LOTS 39-46 OF SOMERSET SHORES.

WHEREAS, on September 30, 1986, initial site plan approval for construction of quadraplexes was granted for that certain property located in southwest Orange County, as more particularly described on the plat of Somerset Shores, and recorded in the Public Records of Orange County in December of 1991;

WHEREAS, additional approvals were granted during April of 1989 through April of 1990, including site work and construction plan approval and building permits were issued pursuant to the Orange County commercial site plan review process;

WHEREAS, in October of 1990, Orange County became aware of sales by Delta Sommerset, Inc. (hereinafter "Developer") of individual units within the quadraplexes at Somerset Shores to third party purchasers, which units had been constructed on "lots" that were subdivided without approval

Rec Fee \$ 12.00 MARTHA O. HAYNIE,
Add Fee \$ 2.50 Orange County
Doc Tax \$ — Comptroller
Int Tax \$ — By [Signature]
Total \$ 19.50 Deputy Clerk

3955459 Orange Co. FL.
12/23/91 12:24:48pm

1 by Orange County and without approval by the State as a
2 condominium plat;

3 WHEREAS, by December of 1990, upon confirming that
4 approximately 35 units had been sold to third party
5 purchasers in violation of the Orange County Subdivision
6 Regulations, enforcement measures were investigated, and the
7 Developer was informed that: (1) an injunction would be filed
8 if further sales to third party purchasers occurred; and (2)
9 that no additional building permits would be issued until
10 such time as the developer was in full compliance with Orange
11 County regulations;

12 WHEREAS, Developer began compliance efforts shortly
13 thereafter, including hiring an engineer and attorneys to
14 comply with County requirements necessary for recordation of
15 a plat;

16 WHEREAS, homeowner's representatives also participated in
17 the subdivision process, and obtained a waiver of prepayment
18 of taxes for the developed portion of Somerset Shores;

19 WHEREAS, the Orange County Board of County Commissioners
20 finds that, given the large number of apparent innocent third
21 party purchasers facing potential title problems, as well as
22 the future administrative burden which could be imposed on
23 Orange County staff in the event that platting at some future
24 date is requested, that it is in the best interests of the
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1 citizens of Orange County to record the plat of Somerset
2 Shores;

3 WHEREAS, the Orange County Board of County Commissioners
4 finds that the applicable Orange County regulations for
5 platting have been substantially complied with and that the
6 requirements of Florida Statute 177 have been met;

7 NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
8 COMMISSIONERS OF ORANGE COUNTY, FLORIDA THAT:

9 1. The plat of Somerset Shores is hereby approved in
10 consideration of the aforementioned extraordinary
11 circumstances, and approval is solely to bring the project
12 into compliance with the requirement that the County approve
13 the subdivision of land prior to sale to third party
14 purchasers;

15 2. BE IT FURTHER RESOLVED, that this resolution be
16 recorded in the public records of Orange County, Florida and
17 that the O.R. Book and Page Number of said Resolution be
18 referenced as a "marginal entry" on the face of the plat of
19 Somerset Shores, which marginal entry shall be prefaced by
20 the following phrase: "This plat approval is subject to that
21 certain County Resolution recorded at O.R. Book 4357, Page 3595,
22 of the public records of Orange County, Florida."

23 3. BE IT FURTHER RESOLVED, that the Orange County Board
24 of County Commissioners hereby finds that only those units at
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1 Somerset Shores which have received certificates of occupancy
2 from Orange County as of the Effective Date of this
3 Resolution, shall be deemed nonconforming uses subject to the
4 applicable County regulations pertaining to nonconforming
5 uses;

6 4. BE IT FURTHER RESOLVED, that any lots at Somerset
7 Shores which are currently undeveloped, namely lots 39, 40,
8 41, 42, 43, 44, 45 and 46, shall be subject to all applicable
9 laws and regulations of Orange County and the State of
10 Florida.

11 EFFECTIVE DATE. This Resolution shall become effective
12 upon the date of passage.

13 ADOPTED THIS 17TH DAY OF DECEMBER, 1991.

15 ORANGE COUNTY, FLORIDA

16 *Walter Butler*
17 BY: Walter Butler
18 VICE County Chairman
19 FOR THE COUNTY CHAIRMAN
20 DATE: DEC 17 1991

21 ATTEST: Martha O. Haynie, County Comptroller
22 As Clerk of the Board of County Commissioners

23 BY: *Martha O. Haynie*
24 ASST. Deputy Clerk

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25 RECORDED & RECORD VERIFIED
26 *Martha O. Haynie*
27 County Comptroller, Orange Co., FL