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Sumter County Board of County Commissioners  
7375 Powell Road  
Wildwood, FL 34785

Re: Proposed Amendment to Tri-Villages DRI

Dear Commissioners,

I am an attorney working with residents of the Tri-Villages DRI, including the Oburn family whose property is located about 220 feet from parcel D12-001J (Tract J, The Villages of Sumter, Unit 9, PB4, Pages 177 Sumter County; hereafter "Tract J"). We would respectfully request that you deny case number DRI2020-002 (proposed 13<sup>th</sup> amendment to Tri-Villages of Sumter DRI; "Proposal") and would appreciate you adding this to the October 27, 2020 agenda package as an addendum. Also, since the Proposal has been significantly modified, the hearing set for Tuesday, October 27, 2020 should be continued, considering that notice statutes are strictly construed and given the County is obligated to provide procedural due process. The Proposal, particularly as it relates to Tract J, violates numerous essential requirements of law as follows:

**(1) Tract J cannot be the subject of an unrelated development proposal given that is part of the Unit 9 Plat and, as required by Sumter County Code, is bound by covenants and restrictions to ensure the maintenance of the recreational facilities located thereon.** Section 13-363(a)(2) of the Sumter County Code ("Code") expressly requires that an association or other similar legal entity maintain and exercise control over areas such as Tract J shown on a plat where there are private improvements. Covenants and restrictions were enacted that benefit the owners of the homes in Sumter Village Unit (9) (hereafter "Covenants") which include section 4.1 (C) requiring: "Developer or its designee shall perpetually maintain the recreational facilities." While there is no definition of recreational facilities or the tract where they are located, the only tract on the plat of Unit 9 where we are aware that there have been recreational facilities is Tract J (previously the site of a clubhouse, restaurant, swimming pool and tennis courts until they were recently torn down and/or filled in by the developer in anticipation of this requested entitlement to these land-use approvals). None of the other tracts on the plat of Unit 9 have "recreational facilities." Note: The Covenants also have a provision that restricts driveways or access on to Morse Boulevard, which also calls into question how Tract J could now be redeveloped.

**(2) Even assuming Tract J could be redeveloped, the proposal is not being reviewed in accordance with the standards and procedures in the Code as required by FS 380.06.** FS 380.06 (7) requires that: "Any proposed change to a previously approved development of regional impact shall be reviewed by the local government based on the standards and procedures in its adopted local comprehensive plan and adopted local land