

**Application to Modify Cluster Plan for Tract A
(Application # RZ-10-038)
August 19, 2015**



**Planning and Zoning Hearing
November 19, 2015**



**PZ Requirements
Owner to petition to Vacate
Plat Notes Regarding Tract
A's Development Rights and
access under F.S. 177.101(3)**



**Owner Files Petition to Vacate
Plat Notes 12 and 13
January 27, 2016**



§ 177.101(3) Conditions to Vacate

- 1. Applicant owns part of or entire Tract → Satisfied**
- 2. Vacation does not affect ownership or right of convenient access of other owners in subdivision → Satisfied**



Approval of Vacation of Plat Notes

Declaration of Covenants, Conditions and Restrictions for Butler Bay Unit Three (ORB 3808, Page 1478)

Article XII, Section 1 states in its entirety (emphasis added):

“All Owners of Lots on the Property acknowledge the existence of a private golf course on lands adjoining the Property. The golf course is for the use and enjoyment of the members of the private golf club.”

Relevant Provisions – Notes 12 and 13

Note 12 Dedicated Tract A's Development Rights to Orange County

Note 13 Dedicated Tract A's Access Rights to McKinnon Road and Lake Butler Boulevard to Orange County