

- Orange County has a Lake Pickett MSTU to help fund aquatic plant control
- Seminole County has a Lake Pickett MSBU to help fund aquatic plant control
- Orange County and Seminole County have an Interlocal Agreement for Aquatic Plant Management on Lake Pickett (<http://www.orange.wateratlas.usf.edu/upload/documents/Consent%203-12-13%20Lk%20Pickett%20interlocal%20exeuted%20agreement.pdf>)
- Lake Louise is connected to Lake Pickett, as shown by the orange dashed lines in the image below
- **The proposed Heartwood Subdivision will drain into Lake Louise, and should be added to the Lake Pickett MSTU**







November 27, 2017

**Regarding:** Commissioner Meeting discussing Heartwood PD/PSP on Lake Pickett Road

**Request:** Ask that you help back our District 5 Commissioner's Conditions for the Heartwood PD approval. Supporting those conditions is a vote for what is right for the east side community as a whole. An "approval with conditions" would help the cause for roadway safety and Orange County Staff's stated position of good community making/good neighborhood development principles.

The roadway and connectivity issues are simply due to the rural roadways now transitioning to suburban roadways – thus requiring appropriate changes to accommodate the change.

**Key Agenda items:**

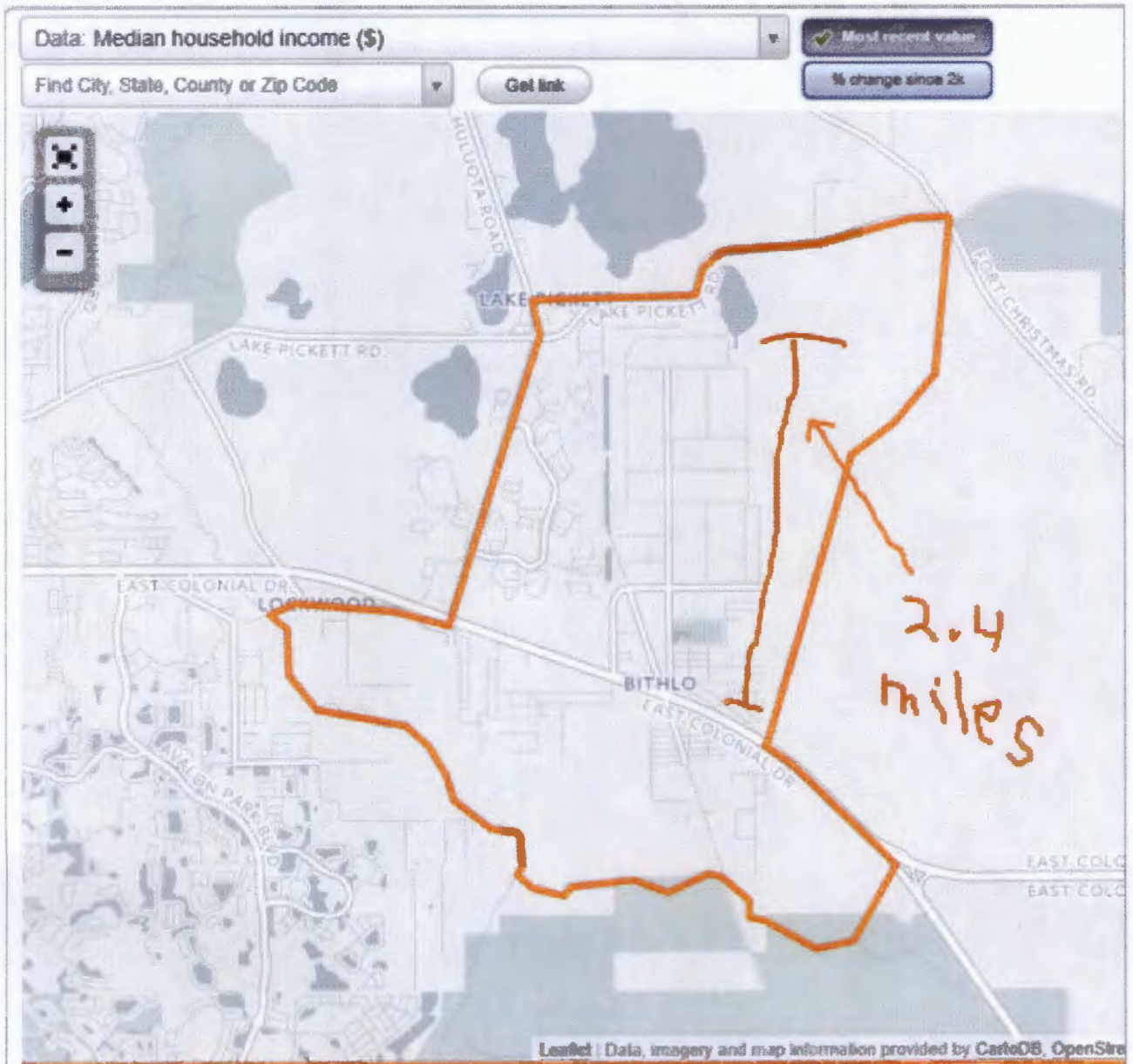
1. **Intentional effort to continue segregation** (Have's and Have Nots)
  - a. See heat map illustrating the financials. Also provides clear image of the lack of connectivity for the very large area. (Probably represents the largest cul-de-sac in Orange County?) *2.4 miles*
2. **Connectivity** (to Amityville Road)
  - a. DRC meeting audio review from August 2017. Senior staff steamrolling support staff as support staff expresses position that the connectivity is recommended for "community making" and "good neighborhood planning. (See audio notes and listen to audio 28:47 – 30:50).
    - i. Senior staff clearly putting the developer's wants as more important than the community/Orange County's needs.
  - b. **Notable Quotes:**
    - i. Support Staff: "My opinion is based on good neighborhood development principles as identified in general intent of the Comprehensive Plan ... interconnectivity continues to be a stressed point in developments"
    - ii. Senior Staff: "I don't disagree, .... But – I think we missed the boat"... "Anything else?"...
3. **Mitigate dangerous roadway situation** PD/PSP creates due to entrance/exit being on semi-blind corner.
  - a. Refer to sequential pictures of roadway
  - b. Approval without conditions addressing dangerous roadway situation created by PD/PSP approval might cause potential legal liability to Orange County for tort.
  - c. **Notable Quote:** Renzo: "Clearly the geometry of this road is not desirable" (At 11/6/17 community meeting when addressing the public's request to straighten the roadway.)

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Want More Traffic?  
Uncontrolled  
Development  
SaveOrangeCounty.org

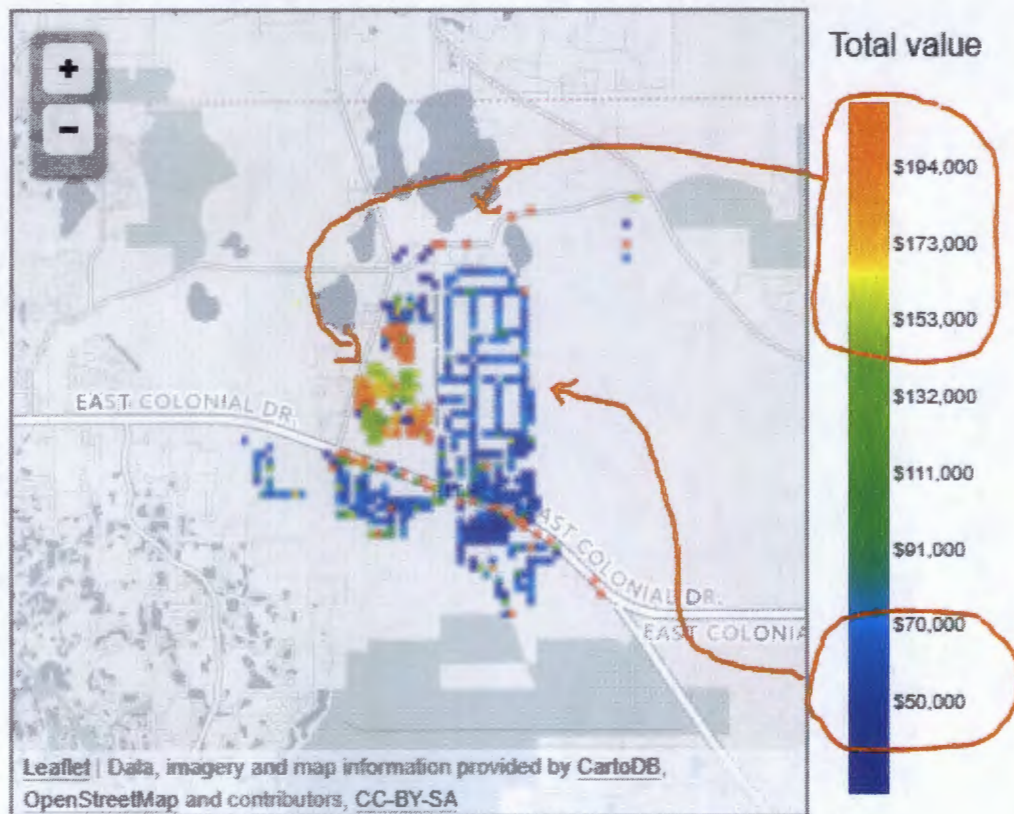
## Bithlo area statistics and map re: "social divide"



<http://www.city-data.com/city/Bithlo-Florida.html#b> (2015 statistics?)



# Property values in Bithlo, FL



## What a passing vote with no conditions would do:

1. Keep the "Haves" and "Have Not's" segregated
2. Ensure this largest area of the Bithlo community remains an oversized cul-de-sac (dead-end) with significant access barriers for eventual community improvement
3. Turning a blind eye to Orange County staff's and the commissions stated objectives for "good neighborhood" planning (re: Connectivity)
  - a. Ask Mr. Vargas in front of the group today his position on connectivity and why it is important. Ask Mr. Weiss the same. (not why it can, or cannot be done for this PD (reasons it cannot be done are almost all woes of the developer and how it correlates to their profits and having to go back to the drawing board since they did not properly address it before submitting their PD/PSP.)

**Notable quote from Mr. Weiss** email 1/13/17: "Staff generally recognized that the concept of a new north-south roadway along the wester property line had potential mobility benefits to residents in east Orange County, mainly in reduced travel times from the Bithlo community to destinations west and north, likely alleviating East Colonial and Chuluota Road."



Tom Narut

Subject:

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Legal recommendation re: Heartwood PD

**The question is:** If the below #2 scenario were to play out, would any appropriately qualified legal counsel be in a strengthened position to be able to file and win law suits for an injured, or killed client/family member against Orange County, the developer and/or the builder due to the dangerous roadway situation the development created?

With citizen discussions and concerns being on public record with the Board of County Commissioners BEFORE the county approved a building project that exacerbated the dangerous corner situation, would provide strength and a reasonably improved likelihood of a 'win' in court when a law suit were filed due to an accident related to that aforementioned dangerous corner situation".

**Subject:** Legal recommendation re: Heartwood housing development and dangerous roadway condition for commuters

I am writing in hopes of getting some quick legal counsel via this email (or a phone call) on an Orange County, FL and home developer project that is up for final zoning approval in front of the Orange County, FL Board of County Commissioners for a 38 unit lakeside development in East Orlando in the next two weeks. It is called Heartwood and will be located on the south side of Lake Pickett Road, just east of the CR-419 intersection.

Your counsel will help set the stage for one of two things to occur:

1. Causing the Orange County, FL Board of County Commissioners (BCC) to pro-actively rectify the very dangerous intersection situation the approval of the development would create to the commuting public.
  - a. Be it via funding from the county themselves, or the developer. (at present, the county knows of the dangerous situation their approval of the development will create and is only requiring a minor change that in reality will not rectify the danger they will create with the developments approval.)
2. If the county and/or developer do not rectify the dangerous intersection situation their approval of the development would create some potential form of legal liability on their part? I am guessing members of the public lobbying for the road improvements might inadvertently set a solid foundation for future law suits legal firms might bring against Orange County, the Developer and the Home Builder should they represent a resident, or commuter who will experience reasonably significant bodily injury, or a family members loss of life.
  - a. Approval of the project without any strong conditions for roadway straightening will result in the creation of eminent dangers Orange County and the developer will create. My guess will be the inadvertent creation of legal liability to the county, the developer and the selected builder for the community because they knowingly created a dangerous situation for the unknowing public purchasing their product.

We as the public of course want #1 above to be the case. However, #1 costs money and at present, Orange County, nor the builder are willing to contribute what is really needed. If their actions put them in a position of future liability, them knowing that the appropriate stage is set for easy litigation will hopefully motivate them to take appropriate pro-active action and make things safe for the public due to the addition of the development and its entrance/exit situation. **The BCC of Orange County is ultimately responsible for the approval, or denial of the proposed development and its affect to the current rural roadway.**

(It is currently a 50 mph rural two lane road with a ninety degree blind corner with a 35 mph sign for the curves. This development has a tiny access area where they will be putting an entrance/exit at one "edge" of the blind corner (see pictures below) for what will be an affluent, gated community with homes I am assuming ranging in the mid-\$400K's to those on the lake at \$700K+. **At present, all that is being provided is a short turn lane into the development from each**



direction, but nothing to do regarding the public's suggestion regarding widening for better safety, straightening for better visibility, etc. From a public meeting this week with residents loudly expressing the dangers, my guess is the county will "throw in" a flashing warning light in addition to their current small turn lanes as well?

The crux is the usual dilemma. Rural farmland with rural roads being transformed into much higher suburban populations – but no appropriate improvements for the roadways – thus putting the public at risk, while developers walk away with higher profits and the county does not hold the developer to improvements needed.



Mind you, these images are in full/clear broad daylight, things degrade even further at night, in morning fog (for this low lying area between two lakes), and with the addition of what will be additional adjoining developments with 8' exterior walls close to the roadway that are currently not present – thus making the corner even more blind than it is in the below images.

West bound on CR-420 at the beginning of the curve on the northside of Lake Louise:





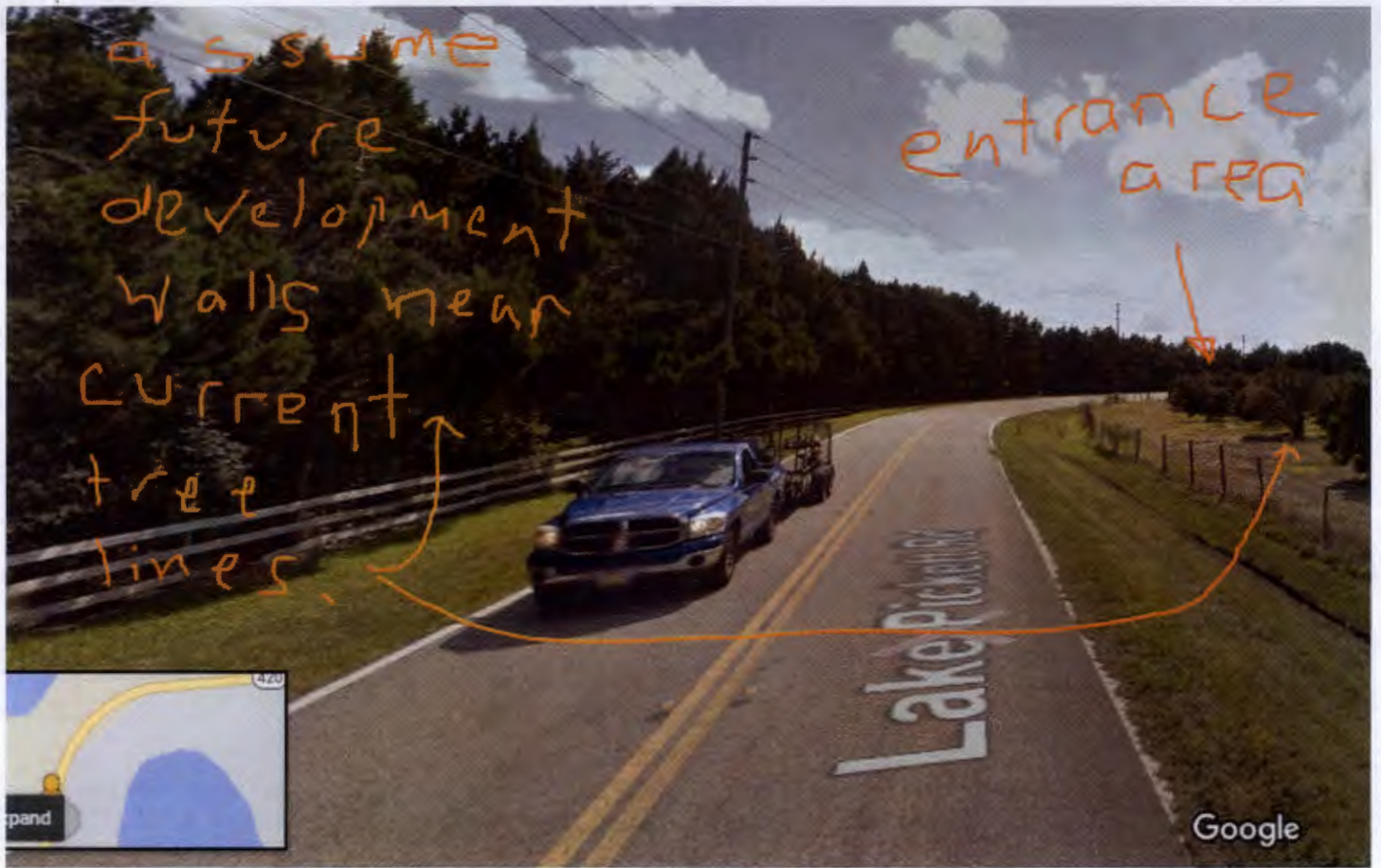
Heading West, just coming out of Northern most curve and now southbound:



CR-420 heading south, just about to enter right hand curve and hidden entrance to proposed development ahead on the left.

Assume current tree line will be 8' perimeter development walls when these two sides of property are developed.





CR-420 westbound, just entering into right hand curve:









way. Eight got hit," Miller said.

Miller said the racing cars were "turning around down the road and we were all standing around watching and talking."

It was not made clear whether another race was planned.

Miller went on, "We were on the road, not in the middle, a little to the side, and he could have gone around us. You could feel it go by. And you could hear it hit the others. Then it swerved and seemed to hit something else, maybe one of the drag cars."

Mike Elligan, 18, said about 15 cars lined the roadway, some with their lights on. All the cars faced west. The race cars were turning around at the western end of the

house about a mile from the accident. He said that he left the party about 10 p.m. As he was driving home, he said, he saw two sets of headlights coming at him.

"They almost killed me," Clarke Wray said. The car approaching him in his lane swerved off the roadway on his side of the road and sped past him on the shoulder of road, he said.

"They went by me like a shot," Wray said.

Patrol Cpl. M.W. Sanders said the road often is used as a drag strip.

"It's a very lonely, very straight, very dark road. It's a perfect place

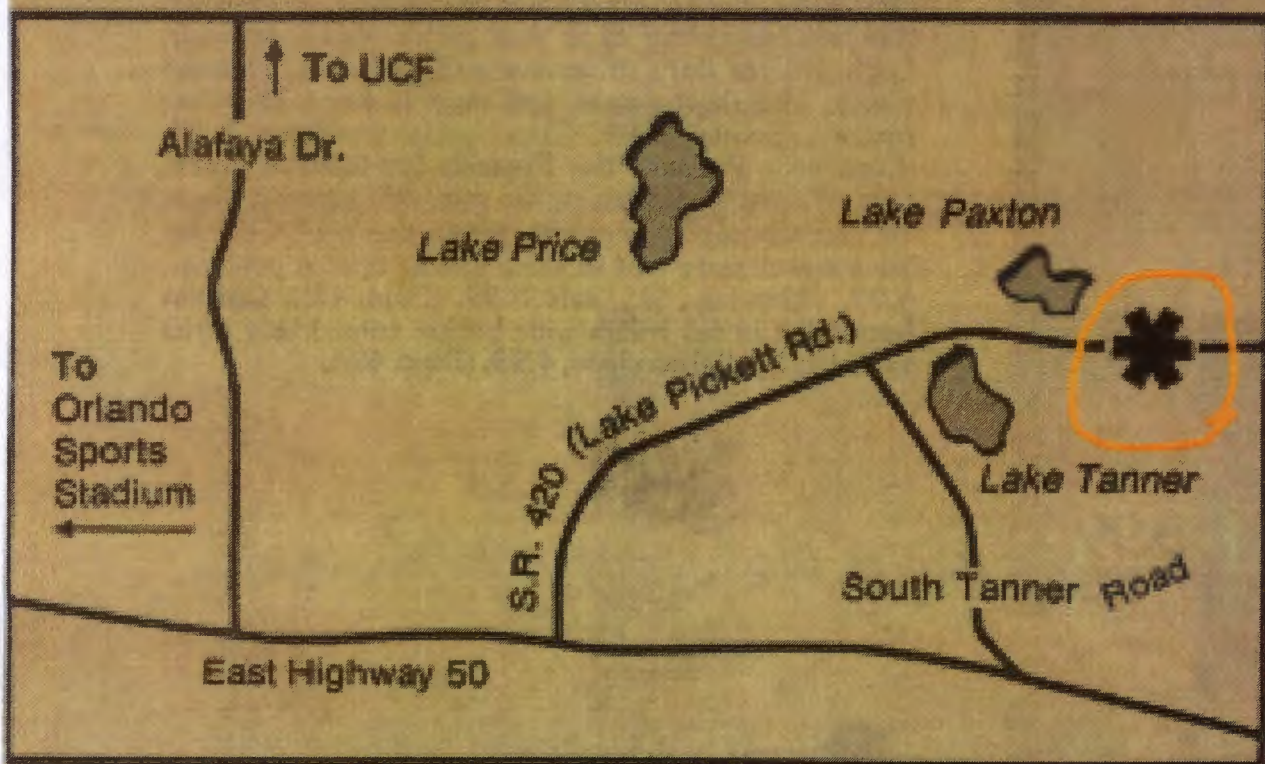
reached for comment later.

Elligan said two people left in their cars to call an ambulance. He said other spectators — some crying, some screaming, some hysterical — tried vainly to pull the victims from beneath the cars.

"But it was too gruesome," he said.

Some of the spectators left immediately after the accident, but Elligan said several waited with the victims until troopers arrived.

"It was bad. It was about the worst I've ever seen," said paramedic W.A. Hines. "The bodies were everywhere — under cars, on cars and in ditches. They were strewn all over."



Continued from

Drag racers and friends had gathered where Lake Pickett Road becomes a beeline.



# The tragedy on Lake Pickett Road



Staff Photo by Barbara Pitt

Standing on a skid mark and huddling for support, they are out in the morning fog to see for themselves how it could happen.

## After a drag race, 6 killed, 2 badly injured

By MIKE FIEDLER and ROGER RHY

The first Friday night drag race was over.

About 30 two-seaters had gathered where State Road 422, Lake Pickett Road, becomes a mile-long byway through scrub oak swamps north of northeast Orange County. A dozen of them stood on the dark road talking, laughing, joking.

Then, in a breath of blaring headlights, six were killed.

"I was standing on the side of the road talking to one of the guys on the road when all of a sudden

there was a car coming right at him. I got blinded by the lights, and when I looked up all I saw was the driver," said a two-seater who dove into a grassy area and lived.

The six Atlanta two-seaters were killed about 1 a.m. when two cars, driven by people attending to the race, a nearby family gathering, got stuck on the fog-soaked, extremely drag strip. Two two-seaters were seriously injured.

"They just plowed right in," Florida Highway Patrol Trooper Larry Hall said. "The only thing that slowed them down was the side of the roadway."

Had the two cars been driven by Barbara Ann Wagner, 22, Bruce Good, and Robert J. Wiley, 24, 15 N. Double Drive, Orlando. They were not a part of the drag racing competition.

The driver's name has been changed.

"I just don't know either driver is at fault," Hall said. "Because you can't stand on the road in the middle of the night."

Witnesses identified the dead as Ned Arnes Schuler, 24, 18, 202 Oak View St.; two brothers, Richard and

Tragedy, Page 12-A