

**SUMTER COUNTY BOARD OF COMMISSIONERS
EXECUTIVE SUMMARY**

SUBJECT: Request to Allow Installation of Steel Post and Large Rock within Sidewalk on CR 101 Right-of-Way by Bison Valley Property Owners Association

REQUESTED ACTION: **Board's Option**

Work Session (Report Only) **DATE OF MEETING:** 1/12/2010
 Regular Meeting Special Meeting

CONTRACT: N/A Vendor/Entity: _____
Effective Date: _____ Termination Date: _____
Managing Division / Dept: Planning _____

BUDGET IMPACT: _____
 Annual **FUNDING SOURCE:** _____
 Capital **EXPENDITURE ACCOUNT:** _____
 N/A

HISTORY/FACTS/ISSUES:

On January 7, 2010, County Administration received a request from Mr. Pete Wahl, President of Bison Valley Property Owners Association, Inc., to place a steel post (6"-8" in circumference) within the center of the sidewalk on CR 101 at the northern property line of the Bison Valley subdivision. In addition, the Bison Valley Property Owners Association, Inc. requests to place a large rock along the western edge of the CR 101 sidewalk at the northern property line of the Bison Valley subdivision. Please see the attached letter from Mr. Wahl.

The purpose of the request is to prevent golf cart traffic generated from the Parkwood subdivision, located to the north of Bison Valley, from utilizing the CR 101 sidewalk. Mr. Wahl states in his letter that golf cart traffic from Parkwood is traveling south along the CR 101 sidewalk entering the Bison Valley subdivision and then using the private golf cart path within Bison Valley to access the Southern Trace shopping areas to the south.

CR 101 is a County maintained roadway. The development approvals for the Parkwood subdivision and Bison Valley subdivision required the improvement of CR 101 to include a public sidewalk along the western edge of the CR 101 right-of-way to provide pedestrian and bicycle connectivity for these residential subdivisions to the commercial areas to the south. The sidewalk along CR 101 was not intended to accommodate golf cart traffic. In addition, Florida Statutes, Section 316.1995, prohibits the operation of golf carts on public sidewalks:

"No person shall drive any vehicle other than by human power upon a bicycle path, sidewalk, or sidewalk area, except upon a permanent or duly authorized temporary driveway. A violation of this section is a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318."

The Bison Valley subdivision is a residential subdivision on CR 101, north of Woodridge Drive. The roadways within Bison Valley are public roadways. However, the golf cart access to Woodridge Drive and the Southern Trace shopping areas, in the southwest corner of the project, is private.

The Parkwood subdivision is a residential subdivision on CR 101, north of Bison Valley. Parkwood is within the jurisdiction of the City of Wildwood. County Staff had previous discussions with the

Parkwood developers regarding the Parkwood developer's desire for CR 101 to be designated for golf cart access. County Staff response continues to be that CR 101 is not suitable for golf cart access due to the existing approved development and anticipated future development along CR 101. In the future, CR 101 is anticipated to be designated as a collector roadway, which would not support the lower speeds required for golf cart access.

Placement of the steel post and large rock within the right-of-way will result in a physical barrier to prevent golf carts from utilizing the sidewalk on CR 101 south of Parkwood and resolve the issue of golf cart traffic entering into Bison Valley and using their private golf cart access. The cost and effort required for the installation of the steel post and rock is the responsibility of the Bison Valley Property Owners Association, Inc.

However, there may be liability issues related to the placement of a steel post and rock within the CR 101 right-of-way that do not meet the appropriate traffic engineering standards. An agreement may be necessary to place the responsibility of the maintenance of the steel post and large rock with the Bison Valley Property Owner's Association, Inc. If the steel post and large rock are placed within the CR 101 sidewalk right-of-way, Staff anticipates a renewed push by Parkwood developers and its residents to designate CR 101 for golf cart traffic. Finally, the issue of use of the CR 101 sidewalk by golf carts, in violation of Florida Statutes, may be addressed through law enforcement activities rather than a physical barrier.

The following options are available to the Board:

1. Authorize placement of a steel post and large rock within the CR 101 sidewalk right-of-way as requested by the Bison Valley Property Owners Association, Inc. in their letter dated January 7, 2010;
 2. Decline the request by the Bison Valley Property Owners Association, Inc. in their letter dated January 7, 2010;
 3. Direct Staff to further evaluate the request by the Bison Valley Property Owners Association, Inc. in their letter dated January 7, 2010 and return with a recommendation at the January 26, 2010 Board meeting; or
 4. Other direction as determined by the Board.
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Bison Valley Property Owners Association, Inc.
1020 Lake Sumter Landing
The Villages, Florida 32162

January 7, 2010

Mr. Brad Arnold, County Administrator
Sumter county Board of County Commissioners
Bushnell, Florida

Dear Mr. Arnold:

I am writing with the following request as the President of the Bison Valley Property Owners' Association. At our Members' meeting and Board meeting in December, I was requested to ask the County Commission with their concurrence with an action that the Board would like to undertake.

As you know, Bison Valley was created and approved with golf cart access to The Villages. Parkwood subdivision to the north of Bison Valley was not approved or golf cart access to The Villages. Residents of Parkwood are driving down the sidewalk along CR101 to make access to our entry and then following our streets to our cart path connecting to Woodridge Drive and the shopping areas in Southern Trace. We are of the understanding that it is prohibited by Statute to operate a golf cart on a sidewalk and have informed residents of Parkwood of that. They continue to ignore our requests to stop that activity.

Therefore, The Board would like to install a steel post (approx. 6 to 8 inches circumference) in the center of the sidewalk at our north property line (near transformer). It would not preclude pedestrians, bicycles, joggers or any other permitted and legal uses. In order to keep carts from turning onto our sodded and maintained area west of the sidewalk, we would install a large rock on the grass to the west of the sidewalk.

Carts are prohibited from being operated on CR 101 by state statute. We would believe that this would solve the problem. Please call me if you have any questions. Thank you.

Sincerely,

Pete Wahl, President.

VIA - Email 1/7/10
BTC



Sumter County GIS - Board of County Commissioners
 910 North Main Street - Bushnell, FL 33513 - PH:352-793-0200 FX:352-793-0207

No Parcel Selected

NOTES:



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