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Developer hopes swap will land him near a road *[VOLUSIA Edition]*

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Author: Kevin P. Connolly, Sentinel Staff Writer
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Robert Perez of the Sentinel staff contributed to this report. Kevin P. Connolly can be reached at kconnolly@orlandosentinel.com or 386- 851-7934.

Daryl Carter is a businessman with a problem: He paid nearly \$12 million for roughly 3,000 acres in southwest Volusia County that he wants to develop into a lucrative residential community, but the land lacks access to a highway.

However, the prominent Orange County broker and developer is resourceful. He spent an additional \$2.1 million for adjoining land in rural Osteen that does have road access. Now all he has to do is persuade officials to let him develop it.

To sway the Volusia County Council, he is paying an elected official from neighboring Seminole County -- Commissioner Brenda Carey, who owns a private consulting business -- to lobby her Volusia counterparts, records and interviews show.

Since the first of the year, Carey has met with at least five Volusia County Council members -- though so far, she has not converted any of them to Carter's plan. Indeed, one calls it an "environmental nightmare."

The council members, who met individually with Carey, said she tried to sell them on a proposal that would give Carter an essential ingredient for his project: the ability to develop a parcel he owns that has access to State Road 415, the only major road in the rural area.

Carter and Carey would not comment.

Carter's property -- several adjoining tracts -- is in the south end of a largely undeveloped region in Volusia's core that the county has targeted for land-preservation efforts aimed at curbing sprawl and protecting drinking-water supplies.

The tract along the highway is known as the W.T. Ranch, 357 acres Carter bought in December for \$2.1 million. It can be used only for agriculture and pasture because a previous owner sold the development rights to the county and regional water managers, granting the agencies a "conservation easement."

That's a problem for Carter because the W.T. Ranch connects to nearly 3,000 acres he bought last year for about \$12 million that has no access to S.R. 415, a two-lane road linking Daytona Beach to the north and Seminole County to the

south.

Without highway access, it likely can't be developed more densely than its current zoning that ranges from one house per 25 acres to one house per 10 acres.

Carter, through Carey, proposed a "trade": lift the easement on the W.T. Ranch and place a new easement -- thereby giving up development rights -- on 853 acres east of the ranch, according to County Council members and maps filed with the county.

"I have to tell you, I am not supporting that," County Chairman Frank Bruno said. "That just opens up that whole area to residential sprawl."

Another possible roadblock for Carter: County officials are considering a November ballot question aimed at slowing growth in a vast rural area in Volusia, including Carter's land, by making it more difficult to increase density.

Exactly what Carter wants to do with his roughly 3,237 acres is unclear. But a map showing a conceptual development plan offers clues.

Obtained from the county through a public-records request, the map shows several properties -- W.T. Ranch, adjacent Carter-owned properties and two properties not owned by Carter -- developed as a single project with nearly 1,000 homes and large swaths of preserved wetlands.

The eastern portion, mainly the 853 acres proposed for the conservation easement, would be open to the public as a park and offer such activities as swimming, fishing and equestrian trails, the map shows.

Development would be clustered in eight large tracts on the west side spanning about 1,383 acres with about 873 to 941 1-acre lots, the map shows.

It also shows a "gated community access" at S.R. 415, on the W.T. Ranch, and notes that a new Wal-Mart Supercenter is under construction on S.R. 415 just a mile to the south.

The conceptual proposal also shows that the project would straddle a regional tributary called Deep Creek.

Jack Hayman, widely considered one of the most development-friendly members of the Volusia County Council, described this as an "environmental nightmare."

Hayman, who said he met with Carey and another individual whose name he couldn't recall, said he "expressed my grave concerns about anything going in near Deep Creek."

Hayman said he was told that the 853-acre parcel would be mined for fill dirt to build up the portion of the property to the west proposed for development. The excavations would also create two "lakes" pictured on the conceptual map for public access, Hayman said. But the council member said he told Carter's representatives "that's not the way to do that."

Development near Deep Creek, Hayman said, would likely hurt what he described as a "very valuable tributary," which connects to the St. Johns River and is prized for its environmental qualities and drainage functions.

"He's going right through the area that we want to preserve," Hayman said.

In previous interviews, Carter has said he wasn't rushing toward development. He said in December that he eventually wants the property approved for a residential project. He wouldn't say how many houses he wanted.

No proposals for land-use changes or development plans have been filed with the county.

Swapping the easement would require approval not only from the County Council but also from the St. Johns River Water Management District because they jointly purchased the development rights as part of a larger effort to limit

development in Volusia's rural heartland.

Buying the ranch's development rights cost the county \$165,947 and the district \$497,843.

A spokesman for the district said such a swap would be a first.

County Council member Bill Long, whose district includes Osteen and Deltona, said he had breakfast with Carey at Swamp House Grill in DeBary to discuss the proposal. The meeting, which Carey initiated, ended with the elected officials paying their own bills and Long rejecting her request.

"As I communicated to her, I don't know if I can grant or I would vote to do away with conservation easements for the public just so that they could have access to State Road 415," Long said. "It's contrary to everything we're trying to do out there."