

**SUMTER COUNTY BOARD OF COMMISSIONERS  
EXECUTIVE SUMMARY**

**SUBJECT:** \*R2011-0013 - Rezoning to RR1C - Bateman - CR 317/Bushnell

**REQUESTED ACTION:** ZAB & Staff recommend approval

Work Session (Report Only)    **DATE OF MEETING:** 5/10/2011  
 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

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**HISTORY/FACTS/ISSUES:**

The applicant is requesting to rezone 6.53 acres MOL from A5 to RR1C to complete a lineal transfer.

ZAB cases:

- 1) Rashawn Harris - R2011-0010
  - 2) Grover C. Jr. & Myro Gene Smith - R2011-0012
  - 3) Robert F. & Kathleen Bateman - R2011-0013\*\*\*\*\*
  - 4) Thomas J. Johnson - R2011-0015
  - 5) James O. & Julia M. Pitts - R2011-0016
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**SUMTER COUNTY ZONING AND ADJUSTMENT BOARD**  
**May 2, 2011**

**BOARD OF SUMTER COUNTY COMMISSIONERS**  
**May 10, 2011**

**CASE NO.** R2011-0013

**APPLICANT:** Robert & Kathleen Bateman & Olivia Luckert

**REPRESENTATIVE:** N/A

**REQUESTED ACTION:** Rezone 6.53 acres MOL from A5 to RR1C to complete a lineal transfer.

**EXISTING ZONING:** A5

**FUTURE LAND USE:** Agricultural

**EXISTING USE:** Mobile Home

**PARCEL SIZE:** 6.53 acres MOL

**GENERAL LOCATION:** Bushnell

**LEGAL DESCRIPTION:** Sec. 11, Twp. 21S, Rng. 21E: N 330' of NE1/4 of NE1/4 less beg at SE cor of N 330' of NE1/4 of NE1/4 run W 363' for a POB W 323' N 135' E 323' S 135' to POB less beg at SE cor of N 330' of NE1/4 of NE1/4 run W 343' N 135' E 343' S 135' to POB less comm at NE cor of Sec 11 run S 00°33'09" E 330.16' N 89°40'25" W 686' to POB cont N 89°40'25" W 662.86' N 00°45'08" W 135' S 89°40'25" E 663.33' thence S 00°33'09" E 135' to POB.

**SURROUNDING LAND USE:**  
**NORTH:** Agricultural

**SURROUNDING ZONING:**  
**NORTH:** A5 = Vacant & Residence

**SOUTH:** Agricultural

**SOUTH:** RR1 & RR1C = Vacant & MH's

**EAST:** Agricultural

**EAST:** RR1C = Residence

**WEST:** Agricultural

**WEST:** RR5 = Residence

**COMMISSIONER'S DISTRICT:** Gary Breedon

**CASE SUMMARY:**

The property is located on the west side of CR 317 approximately 1 mile north of C-48 in the unincorporated Bushnell area of Sumter County.

The subject property is approximately 6.53 acres MOL with a width of approximately 330 feet and depth of approximately 1300 feet.

The general uses of the surrounding properties are residential and agricultural.

**CASE ANALYSIS:**

R2011-0013  
Bateman, Robert F. & Kathleen & Olivia Luckert

The subject property is approximately 6.53 acres MOL and is located on the west side of CR 317 north of C -48, which is comprised of residential and agricultural uses. Property located to the north of the subject property has an Agricultural Future Land Use and A5 zoning. Property located to the south of the subject property has an Agricultural Future Land Use and RR1 and RR1C zonings. Property located to the east of the subject property has an Agricultural Future Land Use and RR1C zoning. . Property located to the west of the subject property has an Agricultural Future Land Use and RR5 zoning.

There is a mobile home currently on the property.

The general character of the area surrounding and within the local vicinity of the subject property is residential and agricultural.

The applicant supplied a deed dated, 3/14/2011, B-2295, P-541. The lineal transfer meets all the lineal transfer requirements and is from grandfather and grandmother to granddaughter.

**DIVISION OF PLANNING & DEVELOPMENT STAFF CONCLUSIONS:**

Staff deems the application sufficient and in compliance with the minimum requirements of the Sumter County Land Development Code and Comprehensive Plan and recommends approval.

**Notices Sent: 11                      (In objection) 1                      (In favor) 0**

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**Zoning & Adjustment Board Recommendation: Approval (10-0)**

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**Board of County Commissioners:**

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**SUMTER COUNTY  
ZONING AND ADJUSTMENT BOARD**

910 N. Main Street, Suite 301, Bushnell, FL 33513  
Tel. (352) 793-0270 Fax (352) 793-0274

Project No: RC 11-0013

Application: 3/20/11 KES

**REZONING**

PROJECT TYPE REZONING		PROJECT SUBTYPE RESIDENTIAL		PROJECT DESCRIPTION REZONE 6.53 ACRES MOL	
OWNER BATEMAN, ROBERT F & KATHLEEN		ADDRESS 5026 CR 317 BUSHNELL, FL 33513		PHONE	
AGENT/APPLICANT OLIVIA LUCKERT		ADDRESS 5066 CR 317 BUSHNELL, FL 33513		PHONE (352) 254-0223	
PARCEL # M11=070	SEC/TWP/RNG 112121	GENERAL Bushnell	DIRECTIONS TO PROPERTY PROPERTY IS LOACTED ON THE W SIDE OF CR 317 APPRX 1 MILE N OF C-48.		
Property Address 5026 CR 317, Bushnell, FL 33513					
PARCEL SIZE 6.53 ACRES MOL		F.L.U. AG	LEGAL DESCRIPTION N 330 FT OF NE1/4 OF NE1/4 LESS BEG AT SE COR OF N 330 FT OF NE1/4 OF NE1/4 RUN W 363 FT FOR A POB RUN W 323 FT N 135 FT E 323 FT S 135 FT TO POB LESS BEG AT SE COR OF N 330 FT OF NE 1/4 OF NE 1/4 RUN W 343 FT N 135 FT E 343 S 135 FT TO POBLESS COMM AT NE COR OF SEC 11 RUN S 00 DEG 33 MIN 09 SEC E 330.16 FT N 89 DEG 40 MIN 25 SEC W 686 FT TO POB CONT N 89 DEG 40 MIN 25 SEC W 662.86 FT N 00 DEG 45 MIN 08 SEC W 135 FT S 89 DEG 40 MIN 25 SEC E 663.33 FT THENCE S 00 DEG 33 MIN 09 SEC E 135 FT TO POB		
PRESENT ZONING A5		PRESENT USE MH			
REQUESTED REZONING REZONE 6.53 ACRES MOL FROM A5 TO RR1C TO COMPLETE A LINEAL TRANSFER		REZONED ACREAGE 6.53 ACRES MOL		REZONED LEGAL DESCRIPTION SAME AS ABOVE	
ABUTTING PROPERTY ZONING/USE F.L.U.	NORTH A5-VACANT/RES AG	EAST RR1C-RES AG	SOUTH RR1/RR1C-MH'S/VACANT AG	WEST RR5-RES AG	

As owner/agent, I agree to post the hearing plaques within 24 hours on the property's road frontage at the corners and at 300' intervals between. I understand any action on my application will be governed by Sumter County's Comprehensive Plan and Development Code, and my payment of the non-refundable application fee will not influence the decision made on this application.

**UNDER PENALTIES OF PERJURY, I DECLARE THE ABOVE INFORMATION THAT I HAVE GIVEN TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF**

*Robert Bateman*  
Signature(s)

*[Signature]*

*Olivia Luckert*

March 28, 2011

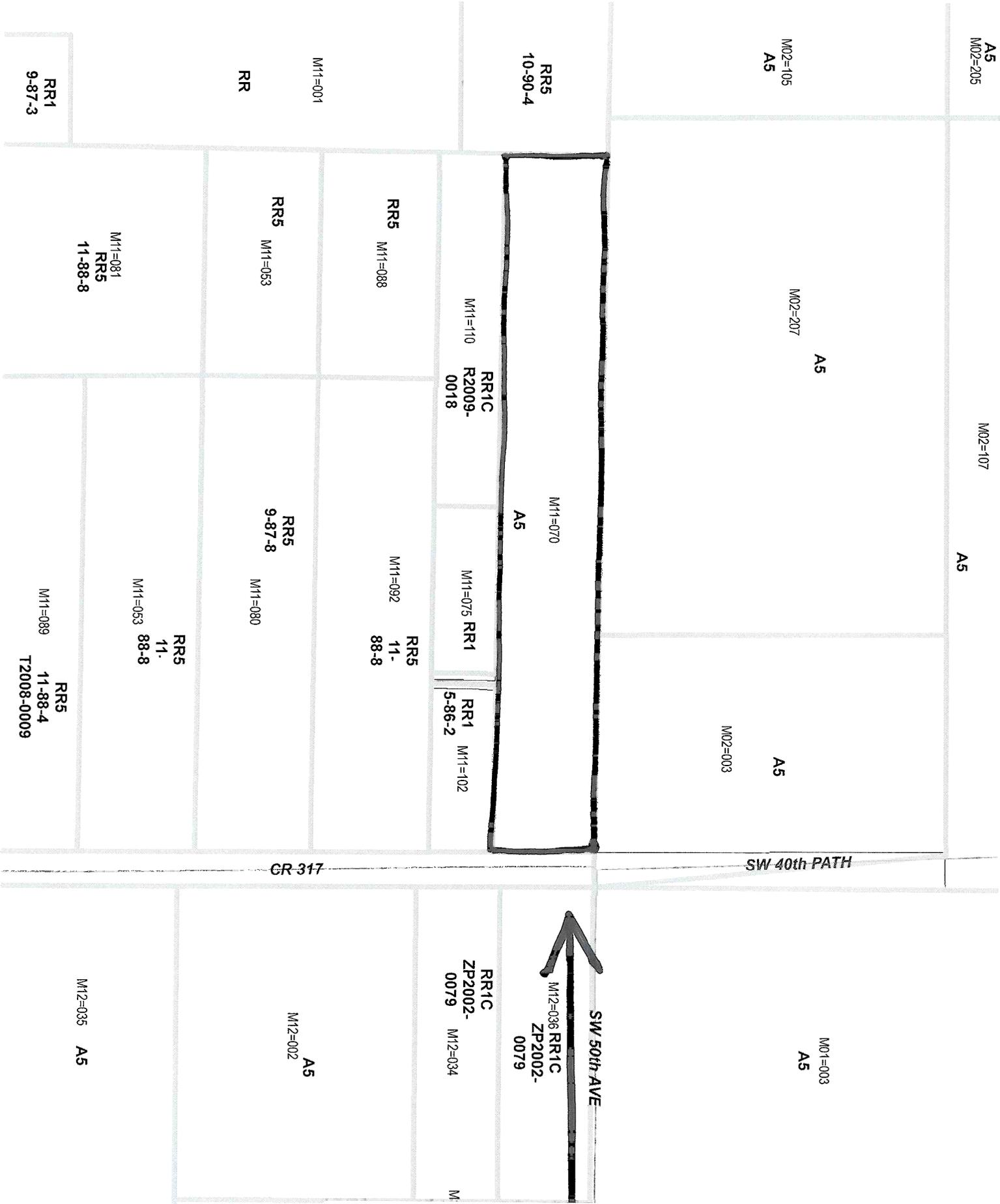
Date

A Public Hearing before the Zoning and Adjustment Board will be held on the date indicated below in the Sumter County Courthouse, Bushnell, FL. This application will be heard at the time indicated below. Your appearance or representation at this hearing is required, and lack of same will cause your application to be disposed of according to the policy adopted by the Board of County Commissioners. The recommendation of the Zoning and Adjustment Board on this request will be presented to the Board of County Commissioners at a Public Hearing to be held at the date/time indicated below in the Sumter County Courthouse, Bushnell, FL, room number indicated below.

Zoning and Adjustment Board	5/2/2011 6:30 PM	Room: CC	Action: _____
		REC	
County Commission Meeting	5/10/2011 5:30 PM	Room: 142	Action: _____

NOTICES SENT <u>11</u>	RECEIVED IN FAVOR <u>0</u>	RECEIVED OBJECTING <u>1</u>
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Please Note: In preparation of the application, county zoning staff will visit the site to take photographs. This will be done in county-marked vehicles. Generally, staff will take photographs from the roadway or easement, and will not come on site unless access requires it.



R2011-0013  
 Bateman, Robert & Kathleen  
 Olivia Luckert  
 Sec. 11, Twp. 21S , Rng 23E

18 50  
 2.00 copies  
 20 50

This Instrument Prepared by  
 Randall N. Thornton, Attorney  
 P. O. Box 58  
 Lake Panasoffkee, Fla 33538

Inst:201160042291 Date:3/14/2011 Time:3:21 PM  
 Doc Stamp-Deed:0.00  
 DC,Gloria R. Hayward,Sumter County Page 1 of 2 B.2295 P:541

WARRANTY DEED

THIS DEED made on March 14, 2011, between ROBERT F BATEMAN and KATHLEEN BATEMAN, his wife, whose address is 5026 CR 317, Bushnell, FL 33513, (Grantor)  
 and  
 R→ OLIVIA LUCKERT, a married woman, whose address is 5066 CR 317, Bushnell, FL 33513, (Grantee)

WITNESSETH, that Grantors, for and in consideration of LOVE AND AFFECTION and other good and valuable consideration to Grantors in hand paid by Grantees, the receipt of which is acknowledged, conveys to Grantees and Grantees heirs, executors, administrators and assigns forever the following described land situated in Sumter County, Florida, to-wit:

Portion of Tax Parcel #M11=070

That portion of the NE 1/4 of the NE 1/4 of Section 11, Township 21 South, Range 21 East, Sumter County, Florida, described as follows: Commence at the NE corner of said Section 11, thence run South 00°33'09" East along the East line of said NE 1/4 of NE 1/4, a distance of 330 16 feet, thence North 89°40'25" West 1348 86 feet to a found (unnumbered) 5/8" rebar at the SW corner of lands described in OR Book 431, Page 313, Public Records of Sumter County, Florida, thence run North 00°45'08" West along the monumented West line of said lands, a distance of 135 00 feet to the POINT OF BEGINNING of this description, from said point continue North 00°45'08" West 196 78 feet to the monumented NW corner of aforementioned NE 1/4 of NE 1/4, thence South 89°36'21" East along the monumented North line of said NE 1/4 of NE 1/4, a distance of 444 19 feet, thence South 00°33'09" East 196 23 feet, thence North 89°40'25" West 443 50 feet to the POINT OF BEGINNING

TOGETHER WITH an easement for ingress, egress and utilities over and across the following described property: Commence at the NE corner of Section 11, Township 21 South, Range 21 East, Sumter County, Florida, thence run South 00°33'09" East along the East line of the N 1/4 of said Section 11, a distance of 145 16 feet to the POINT OF BEGINNING of this easement description, from said point, continue South 00°33'09" East along said line a distance of 50 feet, thence North 89°40'25" West 905 83 feet, thence North 00°33'09" West 50 feet, thence South 89°40'25" East 905 83 feet to the POINT OF BEGINNING

GRANTORS ARE THE GRANDPARENTS OF GRANTEE

"This conveyance creates a family exemption parcel which is subject to all regulations and restrictions as set forth in Section 13-308(a)(1) of the Sumter County Code "

Subject to restrictions, reservations, easements and limitations of record, if any, provided that this shall not serve to reimpose same, zoning ordinances, and taxes for the current year and subsequent years

Said grantor does hereby fully warrant the title to said land, and will defend that same against the lawful claims of all persons

whomsoever

In Witness Whereof, Grantors have hereunto set grantors hand and seal the day and year first above written

Signed, sealed and delivered in our presence

Witnesses:

Sign: [Signature]  
Print: ROBERT F BATEMAN

[Signature]  
ROBERT F BATEMAN

Sign: [Signature]  
Print: MARSHA MAETZ

[Signature]  
KATHLEEN BATEMAN (Her Mark)

STATE OF FLORIDA  
COUNTY OF SUMTER

The foregoing instrument was acknowledged before me on the 14th day of March, 2011, by Robert F Bateman and Kathleen Bateman by making her mark



[Signature]  
Notary Public, State of FL  
My Commission Expires: \_\_\_\_\_

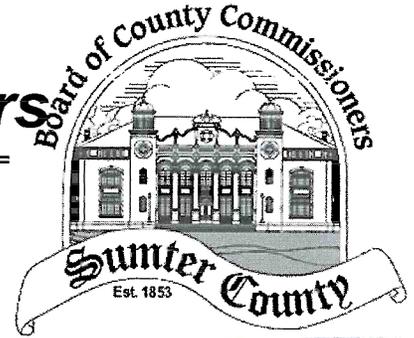
Personally known ✓ or Produced Identification \_\_\_\_\_  
Type of Identification \_\_\_\_\_

# Board of County Commissioners

## Division of Planning & Development

### Planning Services

7375 Powell Rd., Suite 115 • Wildwood, FL 34785 • Phone (352) 689-4460 • FAX: (352) 689-4461  
Website: <http://sumtercountyfl.gov/planning>



## NOTICE OF PUBLIC HEARING

April 7, 2011

HELTON DAVID L & PAMELA J

~~301 N HWY 27 UNIT H~~ 185 N Hwy 27, Ste B  
CLERMONT, FL 34711



To **property owners** whose property boundaries are within a distance of 150 feet of the outside perimeter of property in the name of **Robert and Kathleen Bateman and Olivia Luckert**. This property is being considered for **rezoning** at a public hearing.

CASE# **R2011-0013** to rezone **6.53 acres MOL** from **A5** to **RR1C (High Density Rural Residential) Zone** which provides a high density rural residential atmosphere for one (1) conventional or Class A mobile home dwelling unit per parcel.

A **public hearing** before the Zoning and Adjustment Board will be held at **Colony Cottage Recreation Center, 510 Colony Blvd, The Villages, Florida 32162** on **Monday, May 2, 2011** at **6:30 P.M.**

The property is located as follows: Bushnell area. Property is located on the west side of CR 317 approximately 1 mile north of C-48

The recommendations of the Zoning and Adjustment Board will be presented to the Sumter Board of County Commissioners at a public hearing to be held at **910 N. Main Street, Room 142, Bushnell, Florida**, on **Tuesday, May 10, 2011** at **5:30 P.M.**

Written comments submitted will be heard. Hearings may be continued from time to time as found necessary. Please return this form to SUMTER COUNTY PLANNING DEPARTMENT, 7375 Powell Road, Suite 115, Wildwood, FL 34785. Questions should be directed to the Planning Department at (352)689-4460

I approve of the above.

I do not approve of the above for the following reason(s): I do not want mobile homes in this area.

Please return no later than April 21, 2011.

RE: CASE# **R2011-0013**