

RESOLUTION NUMBER _____

A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF SUMTER COUNTY, FLORIDA,
REZONING PROPERTY LOCATED WITHIN THE
UNINCORPORATED LANDS OF THE COUNTY

WHEREAS, the Board of County Commissioners of Sumter County received a complete and properly funded application for rezoning of property located within the unincorporated lands of Sumter County, and,

WHEREAS, after diligent review and consideration the above referenced rezoning was approved.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sumter County, Florida, as follows:

1 Based on competent substantial evidence presented and considered during a properly noticed quasi judicial hearing, the Board of County Commissioners of Sumter County hereby approves rezoning application R2011-0022. The lands described in application R2011-0022 are hereby rezoned to RR1C, as that zoning category is described in the Sumter County Land Development Code.

DONE AND RESOLVED THIS ____ DAY OF _____, 2011,
at _____, Sumter County, Florida.

ATTEST: GLORIA HAYWARD
Clerk of Circuit Court

BOARD OF COUNTY COMMISSIONERS
OF SUMTER COUNTY, FLORIDA

Deputy Clerk

Don Burgess, Chairman

SUMTER COUNTY ZONING AND ADJUSTMENT BOARD
September 19, 2011

BOARD OF SUMTER COUNTY COMMISSIONERS
September 27, 2011

CASE NO. R2011-0022

APPLICANT: Clark & Barbara Caruthers

REPRESENTATIVE: N/A

REQUESTED ACTION: Rezone 7.1 acres MOL from RR5C to RR1C to complete a lineal transfer

LEGAL DESCRIPTION: Sec. 15, Twp. 21S, Rng. 22E. E ½ of NE ¼ of NE ¼ less R/W less beg 158' S of NE cor of NE ¼ of NE ¼ of NE ¼ run S 245' W 176' N 245' E 176' to POB less beg 659.90' S of NE cor of NE ¼ run S 160' W 545.5' N 160' E 545.5' to POB less comm at NE cor of NE ¼ run S 818.90' thence W 226.07' to POB thence W 418.43' S 436.44' E 418.44' thence N 433.65' to POB less comm at NE cor of NE ¼ of NE ¼ run S 403' to POB S 255.89' W 340.46' N 255.89' E 340.46' to POB less beg 818.9' S of NE cor of NE ¼ of NE ¼ W 201.07' S 433.45' E 201.62' N 432.13' less the E 25' thereof.

EXISTING ZONING: RR5C

FUTURE LAND USE: Agricultural

EXISTING USE: Residential

PARCEL SIZE: 9.1 acres MOL

GENERAL LOCATION: Oxford

SURROUNDING LAND USE: **SURROUNDING ZONING:**
NORTH: Agricultural **NORTH:** A5 & A1 = residence

SOUTH: Agricultural **SOUTH:** RR1C = mobile home, residence & vacant

EAST: Agricultural **EAST:** A5, RR, & RR1C = mobile home & vacant

WEST: Agricultural **WEST:** A10C = residence

COMMISSIONER'S DISTRICT: District 2

CASE SUMMARY:

The subject property is located on the northwest corner of CR 229 and NE 120th Ave.

The subject property is approximately 9.1 acres, of which 7.1 acres is being rezoned. The property being rezoned has a width of approximately 614 feet and depth of approximately 623 feet.

CASE ANALYSIS:

The general character of the area surrounding and within the local vicinity of the subject property is agricultural and residential. The subject property is being divided to complete lineal transfers. The applicants are creating two lineal transfers from parents to children and one from grandparents to a grandchild. The applicants supplied recorded deeds, OR 2343 Page 208, OR 2343 Page 210 and OR 2343 Page 212, with the correct lineal transfer verbiage.

DIVISION OF PLANNING & DEVELOPMENT STAFF CONCLUSIONS:

Staff deemed 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) 0 (In favor) 0

ZAB recommendation: Approval (4-0)



SUMTER COUNTY ZONING AND ADJUSTMENT BOARD

Project No: **R2011-0022**

Application: 8/4/2011 KSO

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

REZONING

PROJECT TYPE REZONING		PROJECT SUBTYPE RESIDENTIAL		PROJECT DESCRIPTION REZONE 7.1 ACRES MOL	
OWNER CARUTHERS, CLARK & BARBARA L			ADDRESS 11808 COUNTY ROAD 229 OXFORD, FL 34484		PHONE (352) 603-1677
PARCEL # C15=021	SEC/TWP/RNG 151822	GENERAL LOCATION Oxford		DIRECTIONS TO PROPERTY N ON US 301. W ON C-466. N ON CR 229 PROPERTY APPRX 600' ON W SIDE OF RD	
Property Address 11808 CR 229, Oxford, FL 34484					
PARCEL SIZE 9.1 ACRES MOL		F.L.U. AGR		LEGAL DESCRIPTION E1/2 OF NE1/4 OF NE1/4 LESS ROAD R/W LESS BEG 158 FT S OF NE COR OF NE1/4 OF NE1/4 OF NE1/4 RUN S 245 FT W 176 FT N 245 E 176 FT TO POB LESS BEG 659.90 FT S OF NE COR OF NE 1/4 RUN S 160 FT W 545.5 FT N 160 FT E 545.5 FT TO POB LESS COMM AT NE COR OF NE 1/4 RUN S 818.90 FT THENCE W 226.07 FT TO POB THENCE W 418.43 FT S 00 DEG 03 MIN 56 SEC E 436.44 FT N 89 DEG 37 MIN 05 SEC E 418.44 FT THENCE N 00 DEG 03 MIN 56 SEC E 433.65 FT TO POB LESS COMM AT NE COR OF NE 1/4 OF NE 1/4 RUN S 403 FT TO POB S 255.89 FT W 340.46 FT N 255.89 FT E 340.46 FT TO POB	
PRESENT ZONING RR5C		PRESENT USE RES/VACANT			
REQUESTED REZONING REZONE 7.1 ACRES MOL FROM RR5C TO RR1C TO COMPLETE LINEAL TRANSFERS		REZONED ACREAGE 7.1 ACRES MOL		REZONED LEGAL DESCRIPTION E1/2 OF NE1/4 OF NE1/4 LESS ROAD R/W LESS BEG 158 FT S OF NE COR OF NE1/4 OF NE1/4 OF NE1/4 RUN S 245 FT W 176 FT N 245 E 176 FT TO POB LESS BEG 659.90 FT S OF NE COR OF NE 1/4 RUN S 160 FT W 545.5 FT N 160 FT E 545.5 FT TO POB LESS COMM AT NE COR OF NE 1/4 RUN S 818.90 FT THENCE W 226.07 FT TO POB THENCE W 418.43 FT S 00 DEG 03 MIN 56 SEC E 436.44 FT N 89 DEG 37 MIN 05 SEC E 418.44 FT THENCE N 00 DEG 03 MIN 56 SEC E 433.65 FT TO POB LESS COMM AT NE COR OF NE 1/4 OF NE 1/4 RUN S 403 FT TO POB S 255.89 FT W 340.46 FT N 255.89 FT E 340.46 FT TO POB LESS BEG 818.9 FT S OF NE COR OF NE 1/4 OF NE 1/4 W 201.07' S 433.45' E 201.62' N 432.13' LESS THE E 25' THEREOF	
ABUTTING PROPERTY ZONING/USE F.L.U.	NORTH A5/A1-RES AG	EAST A5/RR/RR1C-MH/VACANT AG	SOUTH RR1C-MH/RES/VACANT AG	WEST A10C-RES AG	
<p>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.</p>					
<p>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.</p>					
  Signature(s)				August 4, 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	9/19/2011 6:30 PM	Room: Colony Cottage Rec. Center	Action: <u>Approval (4-0)</u>
County Commission Meeting	9/27/2011 5:30 PM	Room: Colony Cottage Rec. Center	Action: _____

NOTICES SENT	11	RECEIVED IN FAVOR	0	RECEIVED OBJECTING	0
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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.

PREPARED BY
& RETURN TO:

Clark Caruthers ✓

Inst:201160056701 Date:8/4/2011 Time:12:23 PM
Doc Stamp-Deed:0 70
DC.Gloria R Hayward,Sumter County Page 1 of 2 B 2343 P 210

GRANTEE

11808 CR 229
Oxford, FL 34484

Rec 18.50
Doc 70
Copy 2.00
20.20

Quit Claim Deed

Made this June 13, 2011 A.D. by **CLARK E. CARUTHERS and BARBARA L. CARUTHERS, his wife**, hereinafter called the grantor, to **DANIEL F CARUTHERS & PEGGY CARUTHERS, his wife**, whose post office address is: 4072 CR 114, Oxford, Florida 34484, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal re-presentatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of \$ TEN AND NO/100 DOLLARS (\$10 00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby remise, release, and quit claim unto the grantee forever, all the right, title, interest, claim and demand which the said grantor has in and to, all that certain land situate in Sumter County, Florida, viz:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

THIS CONVEYANCE CREATES A FAMILY EXEMPTION PARCEL WHICH IS SUBJECT TO ALL REGULATIONS AND RESTRICTIONS AS SET FORTH IN SECTION 18-308(a)(1) OF THE SUMTER COUNTY CODE.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said grantor, either in law or equity, to the only proper use, benefit and behoof of the said grantee forever.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Donna Campbell
DONNA CAMPBELL
Witness Printed Name _____

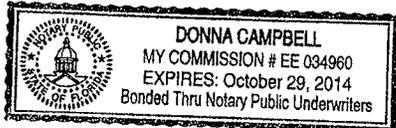
Clark E. Caruthers (Seal)
CLARK E. CARUTHERS
Address: 11808 CR 229 Oxford 34484

Judy A. Whitacre
JUDY A. WHITACRE
Witness Printed Name _____

Barbara L. Caruthers (Seal)
BARBARA L. CARUTHERS
Address: 11808 CR 229 Oxford 34484

State of Florida
County of Sumter

The foregoing instrument was acknowledged before me this June 13, 2011, by **CLARK E. CARUTHERS and BARBARA L. CARUTHERS, his wife**, who is personally known to me or who has produced H as identification



Donna Campbell
Notary Public
Print Name: _____
My Commission Expires: _____

Exhibit "A"

Parcel B

A portion of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 15, Township 18 South, Range 22 East, Sumter County, Florida, being more particularly described as follows

Begin at the Northeast corner of the Northeast 1/4 of the Northeast 1/4 of Section 15, Township 18 South, Range 22 East, Sumter County, Florida, then South $89^{\circ}53'09''$ West, parallel to the North line of said Northeast 1/4 of the Northeast 1/4, a distance of 340.46 to the POINT OF BEGINNING; then South parallel to the East line of the Northeast 1/4, a distance of 658.22 feet; then West perpendicular to said East line, a distance of 303.77 feet to a point on the West line of said East 1/2 of the Northeast 1/4 of the Northeast 1/4; then North $00^{\circ}03'56''$ East, along said West line, a distance of 657.62 feet to the Northwest corner of said East 1/2 of the Northeast 1/4 of the Northeast 1/4, then North $89^{\circ}53'09''$ East, along said North line of the Northeast 1/4 of the Northeast 1/4, a distance of 303.02 feet to the POINT OF BEGINNING TOGETHER WITH an easement for ingress, egress and utilities over and across the North 50 feet of the East 340.46 feet of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 15, Township 18 South, Range 22 East, Sumter County, Florida.

PREPARED BY
& RETURN TO: Clark Caruthers ✓

Inst 201160056700 Date: 8/4/2011 Time: 12:23 PM
Doc Stamp-Deed: 0.70
DC, Gloria R. Hayward, Sumter County Page 1 of 2 B 2343 P 208

GRANTEE
11808 CR 229
Oxford, FL 34484

Rec 1850
De 70
copy 2.00
20.20

Quit Claim Deed

Made this June 13, 2011 A.D. by **CLARK E. CARUTHERS** and **BARBARA L. CARUTHERS**, his wife, hereinafter called the grantor, to **CHRISTOPHER M. CARUTHERS & CLAYTON E. CARUTHERS**, as joint tenants with full rights of survivorship, whose post office address is: 11954 CR 229, Oxford, Florida 34484 hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal re-presentatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of \$ TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby remise, release, and quit claim unto the grantee forever, all the right, title, interest, claim and demand which the said grantor has in and to, all that certain land situate in Sumter County, Florida, viz:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

THIS CONVEYANCE CREATES A FAMILY EXEMPTION PARCEL WHICH IS SUBJECT TO ALL REGULATIONS AND RESTRICTIONS AS SET FORTH IN SECTION 18-308(a)(1) OF THE SUMTER COUNTY CODE.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said grantor, either in law or equity, to the only proper use, benefit and behoof of the said grantee forever.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Donna Campbell
Witness Printed Name Donna Campbell

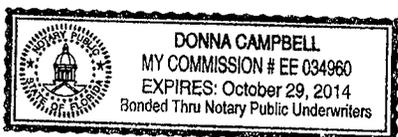
Clark E. Caruthers (Seal)
CLARK E. CARUTHERS
Address: 11808 229 Oxford Flce

Judy A. Whitacre
Witness Printed Name JUDY A. WHITACRE

Barbara L. Caruthers (Seal)
BARBARA L. CARUTHERS
Address: 11808 CR 229 Oxford FL 34484

State of Florida
County of Sumter

The foregoing instrument was acknowledged before me this June 13, 2011, by **CLARK E. CARUTHERS** and **BARBARA L. CARUTHERS**, his wife, who is personally known to me or who has produced Id as identification.



Donna Campbell
Notary Public
Print Name: _____
My Commission Expires: _____

Exhibit "A"

Parcel A

A portion of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 15, Township 18 South, Range 22 East, Sumter County, Florida, being more particularly described as follows

For the POINT OF BEGINNING, commence at the Northeast corner of the Northeast 1/4 of the Northeast 1/4 of Section 15, Township 18 South, Range 22 East, Sumter County, Florida; thence South, along the East line of said Northeast 1/4 a distance of 158.00 feet, thence West, perpendicular to said East line, a distance of 176.00 feet; then South, parallel to said East line a distance of 245.00 feet, then West perpendicular to said East line, a distance of 164.46 feet, then North, parallel to said East line, a distance of 402.32 feet, then North 89°53'09" East, parallel to the North line of said Northeast 1/4, a distance of 340.46 feet to the POINT OF BEGINNING. SUBJECT TO an easement for ingress, egress and utilities over and across the North 50 feet thereof

PREPARED BY & RETURN TO: Clark Caruthers
11808 CR 229
GRANTEE Oxford, FL 34484

Inst:201160056702 Date:8/4/2011 Time 12:23 PM
Doc Stamp-Deed:0.70
DC,Gloria R. Hayward,Sumter County Page 1 of 2 B 2343 P 212

Rec 18.⁵⁰
Doc .70
copy 2.00
21.20

Quit Claim Deed

Made this June 13, 2011 A.D by **CLARK E. CARUTHERS** and **BARBARA L. CARUTHERS**, his wife, hereinafter called the grantor, to **JULIE D. AVERA** whose post office address is. 11862 CR 229, Oxford, Florida 34484, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal re-presentatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of \$ TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby remise, release, and quit claim unto the grantee forever, all the right, title, interest, claim and demand which the said grantor has in and to, all that certain land situate in Sumter County, Florida, viz:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

THIS CONVEYANCE CREATES A FAMILY EXEMPTION PARCEL WHICH IS SUBJECT TO ALL REGULATIONS AND RESTRICTIONS AS SET FORTH IN SECTION 18-308(a)(1) OF THE SUMTER COUNTY CODE.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining

To Have and to Hold, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said grantor, either in law or equity, to the only proper use, benefit and behoof of the said grantee forever.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Donna Campbell
Witness Printed Name **DONNA CAMPBELL**

Clark E. Caruthers (Seal)
CLARK E. CARUTHERS
Address: 11808 229 Oxford Fl 34484

Judy A. Whitacre
Witness Printed Name **JUDY A. WHITACRE**

Barbara L. Caruthers (Seal)
BARBARA L. CARUTHERS
Address: 11862 CR 229 Oxford FL 34484

State of Florida
County of Sumter

The foregoing instrument was acknowledged before me this June 13, 2011, by **CLARK E. CARUTHERS** and **BARBARA L. CARUTHERS**, his wife, who is personally known to me or who has produced JK as identification.

Donna Campbell
Notary Public
Print Name: _____
My Commission Expires: _____

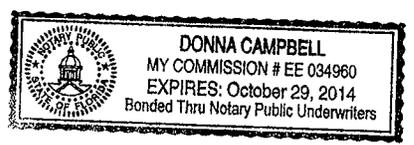


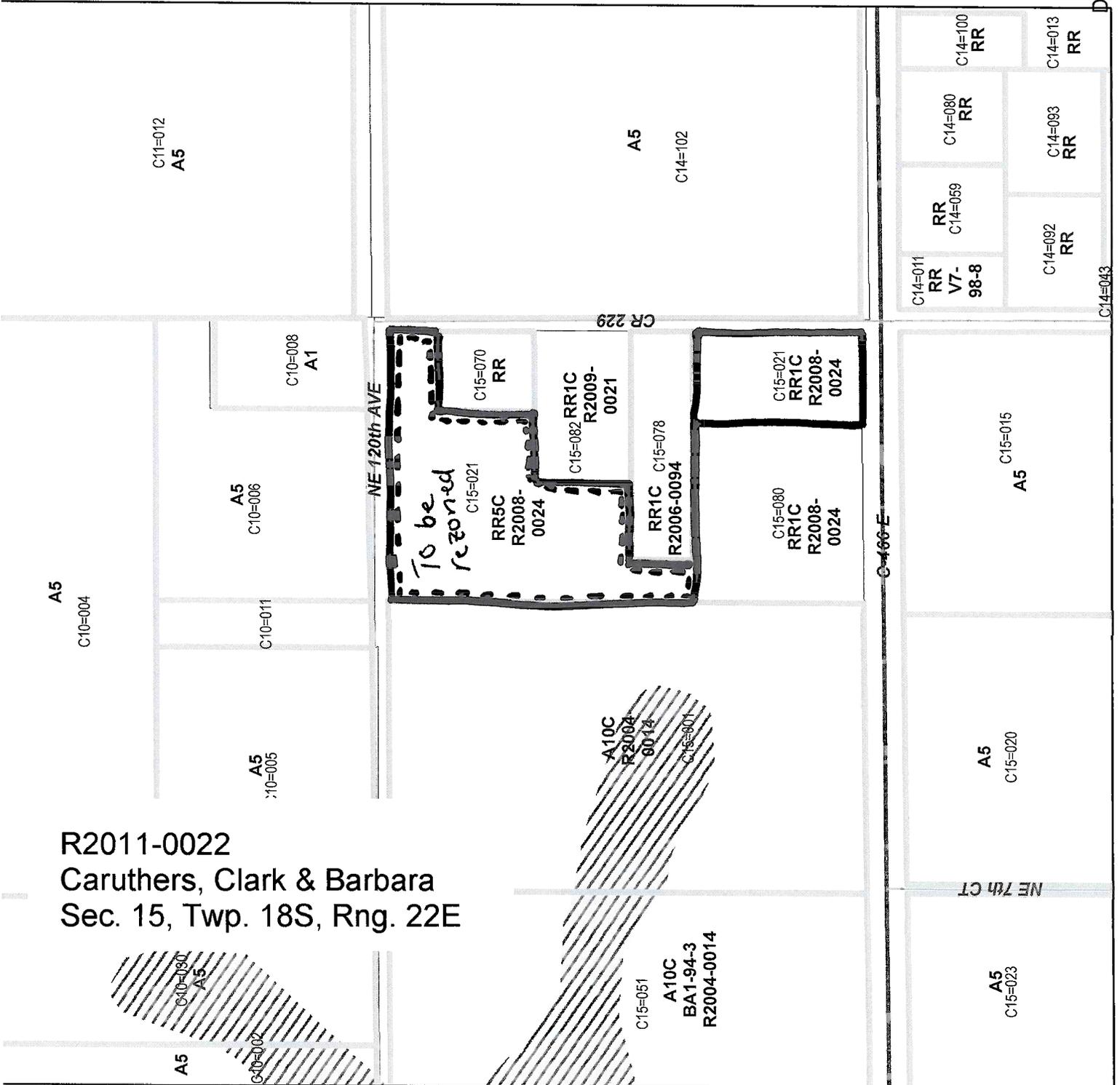
Exhibit "A"

Parcel C

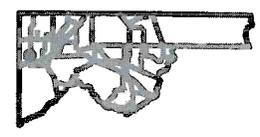
A portion of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 15, Township 18 South, Range 22 East, Sumter County, Florida, being more particularly described as follows

Commence at the Northeast corner of the Northeast 1/4 of the Northeast 1/4 of Section 15, Township 18 South, Range 22 East, Sumter County, Florida, then South along the East line of said Northeast 1/4, a distance of 658.90 feet; then West, perpendicular to said East line, a distance of 545.50 feet to the POINT OF BEGINNING, then continue West, a distance of 98.73 feet to a point on the West line of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of said Section 15, then South 00°03'56" East, along said West line, a distance of 160.00 feet; then East perpendicular to said East line, a distance of 98.91 feet; then North, parallel to said East line, a distance of 160.00 feet to the POINT OF BEGINNING

R2011-0022
 Caruthers, Clark & Barbara
 Sec. 15, Twp. 18S, Rng. 22E



- Legend**
- Non-Compliant
 - Compliant
 - 100 Year Flood Zones
 - Parcels
 - Parcel Pin #'s
 - Florida Counties



1 inch = 0.07 miles

Date Prepared: August 11, 2011

