



**SMALL SCALE SUMTER COUNTY COMPREHENSIVE PLAN AMENDMENT  
APPLICATION**

**DATE.** October 24, 2011

**CASE NUMBER.** SS2011-0011

**APPLICANT:** Cedar Crossing Inc.

**LEGAL DESCRIPTION** Sec. 15, Twp. 19S, Rng. 23E. Lots 6, 7 & 8 Blk G Orange Home Subdivision PB 1 PG 101 ½ & beg at SE cor of Lot 5 Blk G run S/ly along west line of Ruskin Ave. 200' NW/ly along N line of Lot 6 125' NE/ly 200' to center of S line of Lot 3 SE/ly to POB & E ½ of Lot 3 & Lots 4 & 5 Blk G Orange Homes Subdivision

**ELEMENTS:** Future Land Use Map and Future Land Use Element

**PROPOSED CHANGE:**

<u>Current Future Land Use Designation</u>	<u>Acres</u>	<u>Proposed Future Land Use Designation</u>
Low Density Residential	1.35 acres MOL	Commercial

**GENERAL DESCRIPTION AND BACKGROUND**

The applicant is requesting a Small Scale Future Land Use amendment from Low Density Residential to Commercial and a rezoning from Rural Residential to Light Commercial. The subject property consists of a 1.35-acre MOL parcel within the Orange Home subdivision of unincorporated Sumter County (Wildwood area). It is located on the northwest corner of E SR 44 and CR 165. The subject property is developed with a commercial structure, paved parking area, and a fenced storage area. The applicant has stated a desire to operate a landscaping business with an outdoor staging area on the site. The Commercial Future Land Use Category is consistent with the current and proposed uses. This small scale land use amendment request is concurrent with zoning application R2011-0032 and Minor Special Use Permit S2011-0007. The Minor Special Use Permit is necessary to operate an outdoor staging area in the Light Commercial zoning district. See Attachment 1 for project location.

**SURROUNDING LAND USE AND ZONING**

<b>Adjacent Property</b>	<b>Future Land Use Map Designations</b>	<b>Zoning</b>	<b>Current Use</b>
Northeast	Low Density Residential	A5	Vacant/Pasture
Southeast	Low Density Residential	RR	Mobile Homes
Southwest	Low Density Residential	C2-not vested	Vacant/Mobile Home
Northwest	Commercial	CL/RR	Vacant/Mobile Homes/Residences

The subject property is located within a neighborhood of mixed residential and commercial uses. Surrounding land uses include mobile homes, single-family residences and light commercial uses. The subject property is adjacent to property designated as Commercial on the Future Land Use Map. The proposed land use amendment is consistent with adjacent land uses.

The subject property is located within the Joint Planning Area with Wildwood and is identified as Light Commercial on the conceptual land use pattern adopted as part of the Interlocal Service Boundary Agreement. The proposed Commercial Future Land Use category is consistent with the adopted conceptual land use pattern.

## **LAND USE SUITABILITY**

### Urban Sprawl

The subject property is located within the Urban Development Area boundary in an area of mixed residential and commercial uses. The proposed amendment does not display the sprawl indicators as identified in Florida Statutes Chapter 163.3177 9(a) and meets four of the sprawl test criteria in Florida Statutes Chapter 163.3177.9(b).

### Environmental Resources

The subject property is developed with a commercial building and parking lot. There is little native vegetation remaining on site, no wetlands, and it is not located within the 100-year floodplain.

### Historic Resources

The subject property has been highly altered and is unlikely to contain historic resources. This location does not appear on the Master Site File of Historic Resources.

### Population and Housing

The proposed amendment will not affect the supply of housing.

## **CONCURRENCY ANALYSIS**

### Traffic Services

Concurrent with this amendment, Sumter County is considering a text amendment to the Sumter County Comprehensive Plan to delete concurrency requirements for transportation. Future development of the subject property may result in changes in the volume and type of traffic on SR 44. Potential traffic impacts and access management will be addressed at the time of development.

### Potable Water & Sewer

The existing commercial operation utilizes on-site well and septic. The proposed land use amendment will not affect the availability of these utilities. The subject property is located within the City of Wildwood's Utility Service Area. Public water and sewer are not currently available on site.

### Stormwater Drainage

All development must conform to County and South West Florida Water Management District regulations for stormwater systems.

## **INTERNAL CONSISTENCY**

This proposed amendment will require amendments to the Sumter County Comprehensive Plan's Future Land Use Map of the Future Land Use Element.

### Future Land Use Element

The proposed changes to the Future Land Use Element would reflect changes in the allocated inventory for Low Density Residential lands, which would decrease by one acre MOL, and increase the allocated inventory of Commercial lands by 1.35 acres MOL.

Future Land Use Map

The proposed changes in the Future Land Use Map will change the designation of the subject property from Low Density Residential to Commercial. Attachment 2 shows the change on the Future Land Use Map.

**PROPOSED AMENDMENT TO THE TEXT OF THE COMPREHENSIVE PLAN**

This proposed amendment does not affect the text of the Comprehensive Plan.

**PROPOSED AMENDMENT TO THE CAPITAL IMPROVEMENTS PLAN**

This proposed amendment does not affect the Capital Improvements program as outlined in the Sumter County Comprehensive Plan.

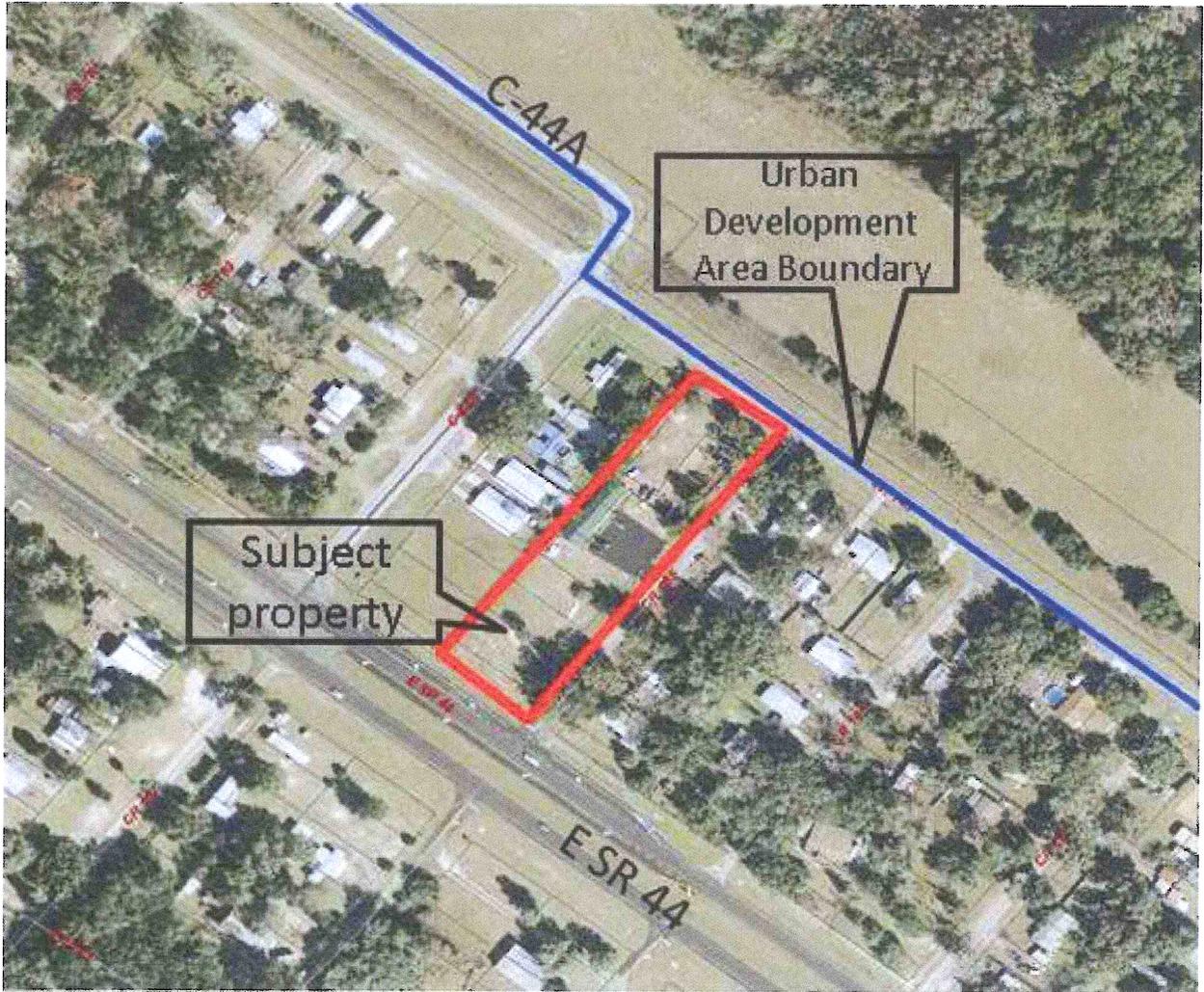
**Notices Sent: 14 (In objection) 1 (In favor) 2**

**Zoning & Adjustment Board Recommendation: Approval (5-0)**

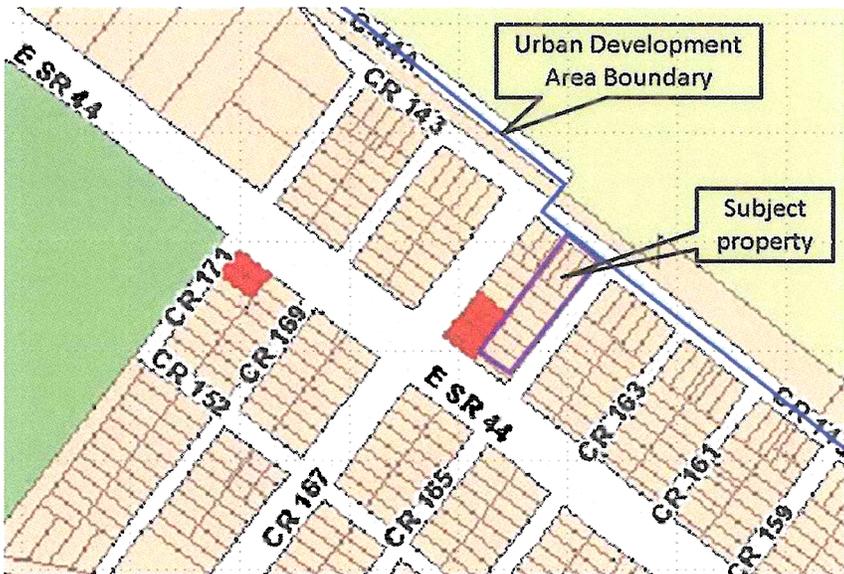
**Board of County Commissioners Recommendation:**

Attachment 1

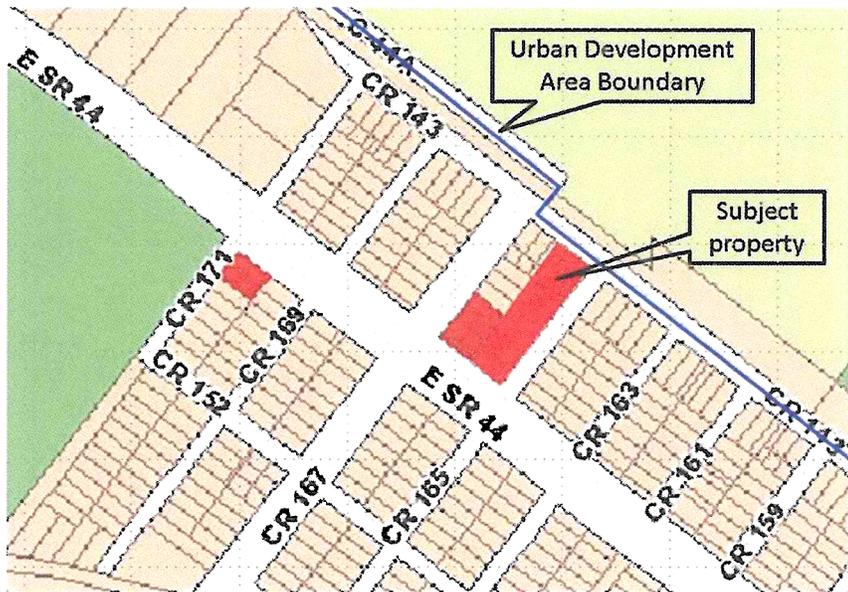
SS2011-0011  
Cedar Crossing, Inc.



Attachment 2  
SS2011-0011  
Cedar Crossing, Inc.



Current Future Land Use Map



Proposed Future Land Use Map

- Low Density Residential
- Commercial
- Agriculture
- Recreation
- Urban Development Area boundary

### Attachment 3

#### URBAN SPRAWL ANALYSIS

The Community Planning Act (Florida Statutes Chapter 163) requires future land use amendments include an analysis to determine whether the proposed amendment contributes to urban sprawl. The proposed land use amendment does not display the sprawl indicators as identified in Florida Statutes Chapter 163 3177.9.a and listed below

- I.Promotes, allows, or designates for development substantially areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses. **The proposed amendment is located in a developed area of mixed commercial and residential uses.**
- II.Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development. **The subject property is not located in a rural area distant from urban development. It is located near the City of Wildwood within a developed area.**
- III.Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments. **The proposed commercial land use is not linear or isolated in nature. The property is located within a developed area of mixed commercial and residential use.**
- IV.Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems. **The subject property is currently developed. There is no significant natural systems on site.**
- V.Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils. **The subject property is located in a developed area and does not impact agricultural lands.**
- VI.Fails to maximize use of existing public facilities and services. **The subject property is in the City of Wildwood's utility service area. Future development will be required to connect to public utilities as they become available.**
- VII.Fails to maximize use of future public facilities and services. **The subject property is in the City of Wildwood's utility service area. Future development will be required to connect to public utilities as they become available.**
- VIII.Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government. **The property is located within the Joint Planning Area and Utility Service Area for Wildwood. Expansion of public water and sewer service throughout the area will be efficient and cost-effective.**



# SUMTER COUNTY ZONING AND ADJUSTMENT BOARD

Project No: **SS2011-0011**

Application: 10/7/2011 KSO

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

## SMALL SCALE

PROJECT TYPE SMALL SCALE		PROJECT SUBTYPE		PROJECT DESCRIPTION SMALL SCALE COMP PLAN AMEND		
OWNER CEDAR, CROSSING INC		ADDRESS 11262 N US HIGHWAY 301 OXFORD, FL 34484		PHONE (352) 748-1182		
PARCEL # G15A134	SEC/TWP/RNG 151923	GENERAL LOCATION Wildwood		DIRECTIONS TO PROPERTY PROPERTY LOCATED ON THE NW CORNER OF SR 44 & CR 165.		
Property Address 5168 CR 165, Wildwood, FL 34785						
PARCEL SIZE 1 ACRE MOL		F.L.U. LDR		LEGAL DESCRIPTION LOTS 6 7 & 8 BLK G ORANGE HOME SUBD PB 1PG 101 1/2 & BEG AT THE SE COR OF LOT 5 BLK G RUN S/LY ALONG W LINE OF RUSKIN AE 200 FT NW/LY ALONG N LINE OF LOT 6 125FT NE/LY 200 FT TO THE CENTER OF THE S LINE OF LOT 3 SE/LY TO POB <i>G15A135 E 1/2 lot 3 &amp; lots 4 &amp; 5 Blk G Orange Homes Sub.</i>		
PRESENT ZONING RR		PRESENT USE OFFICE				
REQUESTED USE SMALL SCALE COMP PLAN AMENDMENT TO CHANGE THE FUTURE LAND USE FROM LDR TO COMMERCIAL		ACREAGE TO BE UTILIZED 1 ACRE MOL		LEGAL DESCRIPTION TO BE UTILIZED LOTS 6 7 & 8 BLK G ORANGE HOME SUBD PB 1PG 101 1/2 & BEG AT THE SE COR OF LOT 5 BLK G RUN S/LY ALONG W LINE OF RUSKIN AVE 200 FT NW/LY ALONG N LINE OF LOT 6 125FT NE/LY 200 FT TO THE CENTER OF THE S LINE OF LOT 3 SE/LY TO POB <i>E 1/2 of lot 3 &amp; lots 4 &amp; 5 Blk G Orange Homes Sub.</i>		
ABUTTING PROPERTY ZONING/USE F.L.U.	NORTH <i>RR-RES AS/VACANT</i> LDR	EAST RR-MH'S LDR	SOUTH NON VESTED C2 LDR	WEST RR/CL-VACANT/RES/MH LDR/COMMERCIAL		
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.			FEES		Amount	Payment
			Comprehensive Plan Amend. -Small Scal		2,900.00	C 1191
		Recording Fees		0.00		
		Postage Fee		0.00		
		\$100 Legal Ad Fee		100.00	C 1191	
		<b>TOTAL</b>		<b>\$3,000.00</b>		
<p><b>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.</b></p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 60%;"> <p style="text-align: center;">Signature(s)</p> </div> <div style="width: 35%;"> <p style="text-align: right;">October 7, 2011</p> <p style="text-align: center;">Date</p> </div> </div>						
<p>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.</p>						
Zoning and Adjustment Board		11/7/2011 6:30 PM	Room: C.C.C	Action: _____		
County Commission Meeting		11/22/2011 5:30 PM	Room: C.C.C	Action: _____		
NOTICES SENT	14	RECEIVED IN FAVOR	2	RECEIVED OBJECTING	1	

**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 driveway or easement, and will not come on site unless access requires it.**

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# Board of County Commissioners

## Division of Planning & Development

### Planning Services

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



## NOTICE OF PUBLIC HEARING



October 20, 2011

STINNETT LARRY A  
5189 CR 165  
WILDWOOD, FL 34785

To property owners whose property boundaries are within a distance of 150 feet of the outside perimeter of property owned by **Cedar Crossing, Inc.** This property is being considered for a **small scale land use amendment and rezoning** at a public hearing.

**CASE# SS2011-0011** to change the future land use on **1 acre MOL** from **Low Density Residential** to **General Commercial**.

**CASE# R2011-0033** to change the zoning on **1 acre MOL** from **RR (Rural Residential)** to **CL (Light Commercial)**.

The property is located as follows. Located on the NW corner of SR 44 and CR 165

The Sumter County Zoning & Adjustment Board will hold a rezoning and land use public hearing to be held at Colony Cottage Recreation Center, 510 Colony Blvd., The Villages, Florida, on **Monday, November 7, 2011, at 6:30 p.m.**

The Sumter Board of County Commissioners will hold a rezoning and land use public hearing at Colony Cottage Recreation Center, 510 Colony Boulevard, The Villages, Florida, on **Tuesday, November 22, 2011, at 5:30 p.m.**

Hearings may be continued from time to time as found necessary. Any questions you may have should be directed to: SUMTER COUNTY PLANNING AND DEVELOPMENT, 7375 Powell Road, Ste. 115, Wildwood, FL 34785

I approve of the above.

I do not approve of the above for the following reason(s):

*See Attachment*

**Please return no later than November 1, 2011.**

RE. CASES# **SS2011-0011 and R2011-0033**

To whom it may concern.

I am a 72 year old retired man, who bought my property because it was very peaceful and quiet, with very little traffic. Now the peace has ended and the noise has increased 10 fold. I am not against the property becoming Commercial, I am against the noise. I am now being awoken at 6:00, by the loud vehicles arriving and the equipment being readied for the day. It seems that most of the vehicles of the employees have no mufflers or "glass-packs", also the Gas and Trash pickup twice a week, very early in the morning. I would suggest an entrance from 44, since the noise would be much less on CR 165, and a high sound proofing fence around the property.

*L.D. Stennett*

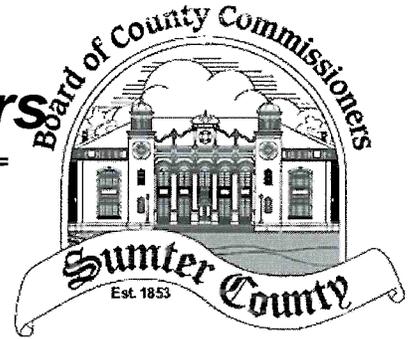


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October 20, 2011

HUDGINS WILLIAM O  
6423 SUMMIT DR  
ORLANDO, FL 32810

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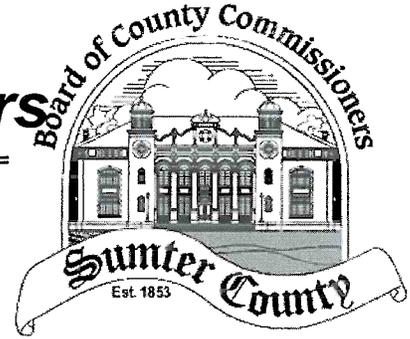
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# Board of County Commissioners

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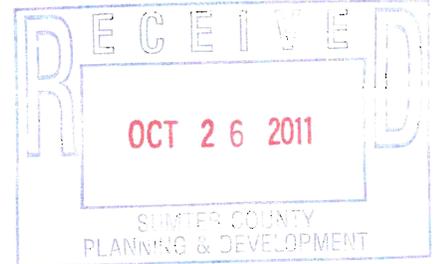
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October 20, 2011

TRI COUNTY LANDSCAPE, CONTRACT  
5168 CR 165  
WILDWOOD, FL 34785



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**Please return no later than November 1, 2011.**

RE. CASES# **SS2011-0011 and R2011-0033**

SUMTER COUNTY ORDINANCE 2011-

AN ORDINANCE OF SUMTER COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE SUMTER COUNTY COMPREHENSIVE PLAN THROUGH THE SMALL SCALE LAND USE AMENDMENT PROCESS; SETTING FORTH THE AUTHORITY FOR SMALL SCALE AMENDMENT OF THE COMPREHENSIVE PLAN FUTURE LAND USE MAP; SETTING FORTH THE PURPOSE AND INTENT OF THE AMENDMENTS; PROVIDING FOR INTERPRETATION, PROVIDING FOR PROVISIONS, SEVERABILITY AND APPLICABILITY, FILING WITH THE DEPARTMENT OF STATE, EFFECTIVE DATE AND ADOPTION.

WHEREAS, Section 163.3161 et. seq., Florida Statutes established the Community Planning Act; and

WHEREAS, Section 163.3187, Florida Statutes, allows small scale land use amendments to be made to the adopted Comprehensive Plan Future Land Use Map; and

WHEREAS, the Board of County Commissioners of Sumter County, Florida has adopted its Comprehensive Plan pursuant to the Act and has now determined that certain amendments to portions of the Future Land Use Map are needed, and

WHEREAS, the Board has provided for opportunity for written comments, public hearings after public notice, provisions for open discussion, communications programs, and consideration of and response to public comments concerning the proposed amendment to the Comprehensive Plan; and

WHEREAS, the County invited written comment and public participation at scheduled public hearings; and

WHEREAS, Ordinance No. 79-9 adopted by the Board of County Commissioners of Sumter County, Florida, on July 18, 1979, and Ordinance No. 96-23 adopted by the Board of County Commissioners of

Sumter County, Florida on December 16, 1996, designated the Sumter County Zoning and Adjustment Board as the Local Planning Agency for the unincorporated areas of Sumter County, Florida, and set forth the duties and responsibilities of said local planning agency; and

WHEREAS, the Sumter County Local Planning Agency held a public hearing on the proposed Comprehensive Plan Future Land Use Map amendment on November 7, 2011, and considered the findings and advice of all interested parties submitting comments at the public hearing, and recommended approval of the amendment to the Board of County Commissioners of Sumter County; and

WHEREAS, the Board of County Commissioners of Sumter County held a public hearing on the proposed Comprehensive Plan Future Land Use Map amendment on November 22, 2011, and considered the findings and advice of all interested parties submitting comments at the public hearing, and the recommendations of the Local Planning Agency, and upon complete consideration and deliberation, approved the amendment to the Comprehensive Plan Future Land Use Map for adoption, and

WHEREAS, the Board of County Commissioners of Sumter County, Florida has determined that the adoption of the amendment to the Comprehensive Plan is in the best interests of the health, safety and welfare of the citizens of Sumter County, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SUMTER COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Authority.

This Ordinance is adopted in compliance with, and pursuant to the Community Planning Act, Section 163.3161, et. seq., Florida Statutes.

Section 2. Purpose and Intent.

It is hereby declared that the purpose and intent of the adopted amendment is to make the Comprehensive Plan better able to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources consistent with the public interest; overcome present handicaps; and deal effectively with future problems which may result from the use and development of land within the unincorporated areas of Sumter County, Florida. Specifically, the amendment changes a land use designation on the Future Land Use Map to General Commercial. The nature of this change is to provide land use to provide development consistent and complementary with the character of development within the surrounding properties and local area. The change allows the Future Land Use Map to depict land use designations capable of commercial development.

Section 3. Adoption of Amendments to Certain Elements of the Comprehensive Plan.

The Future Land Use Element and the Future Land Use Map of the Sumter County Comprehensive Plan are hereby amended as per the amendments attached hereto, and as amended, is the official Comprehensive Plan for the unincorporated area of Sumter County, Florida.

Section 4. Interpretation.

The language and provisions of this ordinance and the Comprehensive Plan, as amended, shall be construed in pari materia with Section 163.3161, et. seq., Florida Statutes. Definitions provided in Section 163.3161, et. seq., Florida Statutes as they apply to interpretation of this ordinance are incorporated herein by reference as the same may from time to time be amended.

Section 5. Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is for any reason held by any court or other forum of competent jurisdiction to be invalid, the validity of the remaining portions of this code shall continue in full force and effect.

Section 6. Effective Date.

This ordinance shall become effective as provided by law.

ADOPTED 22nd day of November 2011  
this

ATTEST: \_\_\_\_\_  
\_\_\_\_\_ **BOARD OF COUNTY**  
**COMMISSIONERS OF**  
**SUMTER COUNTY**

By: \_\_\_\_\_ By: \_\_\_\_\_,  
**Deputy Clerk** **Don Burgess, Chair**

## ATTACHMENT A

### PROPOSED SUMTER COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT

#### FUTURE LAND USE AMENDMENT: Application SS2011-0010

The Future Land Use Map (FLUM) shall be amended to reflect a change in land use designation for the subject parcel and an expansion of the Urban Development Area (UDA) to include the subject property. The subject parcel's current future land use designation, Agriculture, shall be changed to a General Commercial future land use designation on the FLUM. The parcel is described as follows.

Sec. 12, Twp 19S, Rng. 22E. Comm at W  $\frac{1}{4}$  cor run N 358.5' to POB cont N 1347.63' S 37°39'33" E 653.88' S 830.37' W 400' to POB

A location map of the subject property is attached as Map 1. Map 2 shows the Future Land Use Map with the existing land use designation and UDA boundary, and the proposed land use designation with the proposed UDA boundary relative to the subject parcel.