

**Sumter County Planning and Zoning Special Master
January 6, 2020, 6 P.M
Everglades Recreation Center, 5497 Marsh Bend Trl., The
Villages, FL**

S2019-0013 - Tyla Rattray for TBA LLC

General Location:

Center Hill area – North side of CR 702, adjacent to Lake County line

Requested Action:

A minor special use permit to allow the construction and use of a private motocross track.

Documents:

[S2019-0013 Application.pdf](#)
[S2019-0013 Staff report_ADA.pdf](#)
[Public Input S2019-0013.pdf](#)

S2019-0014 - Nathan Thomas Love

General Location:

Bushnell area – East side of CR 671, 0.4 miles north of CR 673.

Requested Action:

A minor special use permit to allow a machining shop as a home occupation.

Documents:

[S2019-0014 Application.pdf](#)
[S2019-0014 Love Staff report_ADA.pdf](#)

R2019-0035 - Roland and Patricia Gardella

General Location:

Wildwood area – Northeast corner of the intersection of SR 44 and C-44A.

Requested Action:

Recommendation to the BOCC on rezoning 1.2 acres MOL from Industrial to Neighborhood Commercial.

Documents:

[R2019-0035 Application.pdf](#)

[R2019-0035-Gardella - staff report_ADA.pdf](#)

SS2019-0014- Ronnie Bailey Jr

General Location :

Wildwood Area – Southeast corner of NE 77th Road and CR 217

Requested action:

Recommendation to the BOCC to change the Future Land Use assignment on 13.4 acres from commercial to agricultural

Documents:

[SS2019-0014 Application.pdf](#)

[SS2019-0014 - Ronnie Bailey Staff Report.pdf](#)

Board of County Commissioners

Development Services Department

Planning Services Division

7375 Powell Rd., Ste. 115, Wildwood, FL 34785 Phone (352) 689-4400 FAX: (352) 689-4401

Website: <http://sumtercountyfl.gov>

Project # S2019-0013

ZAB date 1-6-2020 @ 6:00pm

Date Recv'd: 12/9/2019

Planner: SVR

~~BOCC~~ date

SPECIAL USE PERMIT APPLICATION

Residential

Commercial

(Minor requests are approved by ZAB— Major requests approved by BOCC)

Request: (Additional information may be attached)

Minor Special Use permit for Motorcycles
to ride on a private track.

Applicant Information:

Name of Petitioner(s): Tyla Rattray

(or Company/Corp. Name)
Mailing Address: 15951 Vetta drive,

montverde, 34756, Florida

Phone: 9513756499 Email: stylamx99@hotmail.com

Mobile: _____ Fax: _____

Property Information:

Legal Description of the property (lengthy descriptions may be attached)

52 acres

Street Address: 9000 County Road 702

Parcels # Q13-014/Q13-004 Current Use: _____

Please Provide:

- Deed or other proof of ownership
- Signed authorization if applicant is not the land owner
- Site plan/sketch (showing how property will be used – if applicable)
- Legal description of the area under application. (lengthy or complex legal descriptions may be required in digital/text format)

As the owner/agent, I agree to post the hearing plaques at least seven (7) days prior to the first hearing on the property's road frontage at the corners and at 300-ft intervals between. I understand any action on my application will be governed by Sumter County's Comprehensive Plan and Land Development Code, and my payment of the non-refundable application fee will not guarantee approval.

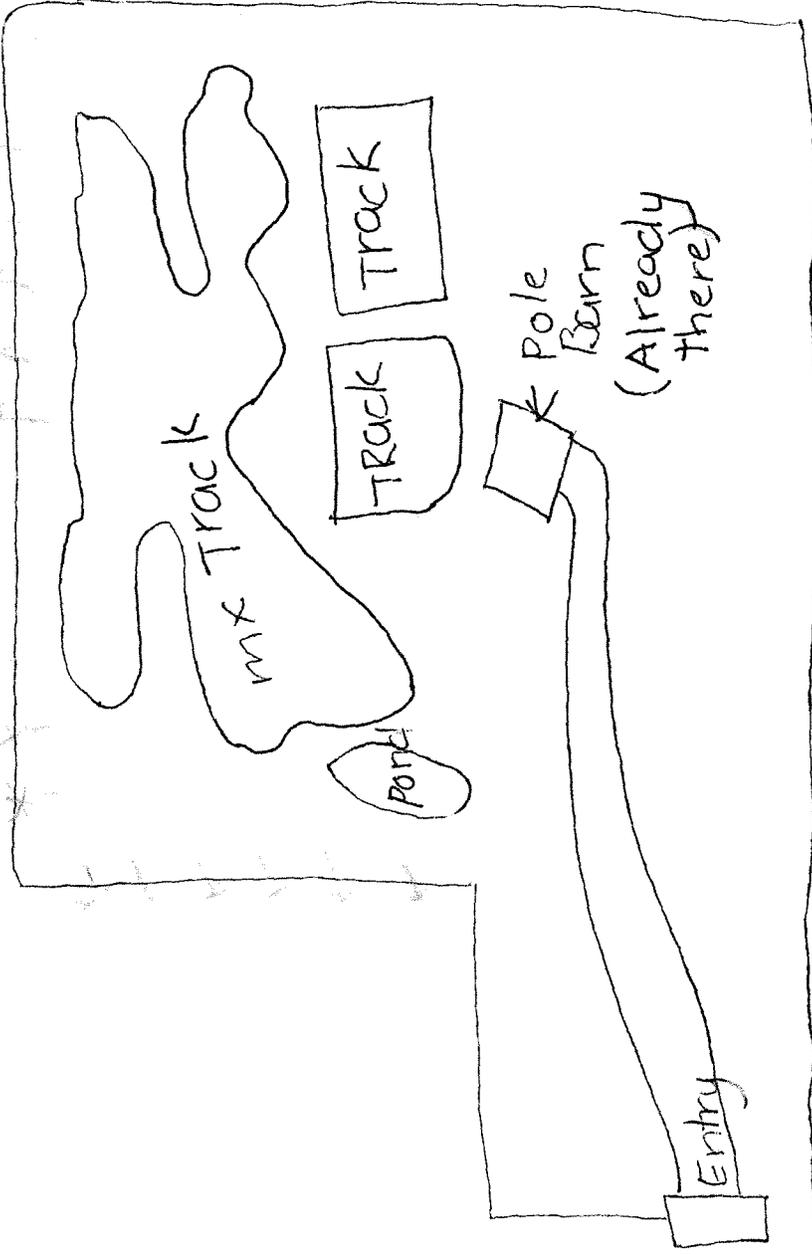
Under penalties of perjury, I declare the above information that I have given to be true and correct to the best of my knowledge and belief.

 12-9-19
Signature Date

Tyla Rattray
Print Name

A public hearing before the Zoning Special Master (ZSM) will be scheduled once the application is found to be complete. The hearing will be at 6 P.M. at 510 Colony Blvd., The Villages, FL. Your appearance or authorized representative is required at this hearing. Failure for you or your authorized representative's attendance will cause your application to be handled in accordance with the policy adopted in the Sumter County Land Development Code. Minor Special Use Permits are decided by the ZSM. Conditions of approval may be assigned to assure compatibility with the neighborhood. Hearings may be postponed by the ZSM at his/her discretion.

Building permits may be required following approval before business can be conducted.



County Road
702

SUMTER COUNTY
PLANNING AND ZONING SPECIAL MASTER
January 6, 2020

CASE NO. S2019-0013

APPLICANT: Tyla Rattray for TBA LLC

REQUESTED ACTION: Minor Special Use Permit to allow for the construction and use of a private motocross track.

PARCEL NUMBER: Q13-014 and Q13-004

LEGAL DESCRIPTION: NE ¼ OF SE ¼ OF SEC 13, TWP 21 S, RNG 23 E;
LESS W 310 FT THEREOF;
AND
THE NORTH 250 FT OF THE EAST 624 FT OF
THE SE ¼ OF THE SE ¼ OF SEC 13, TWP 21 S,
RNG 23 E;
AND
THE SEOUTH 293.7 FT OF THE EAST 1375 FT
OF THE SE ¼ OF THE NE 1/3 OF SEC 13, TWP
21 S, RNG 23 E;
AND
BEG AT NE COR OF SE ¼ OF SE ¼ OF SEC 13,
TWP 21 S, RNG 23 E; RUN SOUTH ALONG
THE EAST LINE OF THE SE ¼ OF THE SE ¼
250 FT TO THE POB; THENCE RUN SOUTH
104.84 FT TO THE COUNTY ROAD; THENCE
SOUTH 28 DEG 57 MIN 54 SEC W AONG SAID
COUNTY ROAD 67.93 FT; LEAVING SAID
COUNTY ROAD RUN SOUTH 87 DEG 10 MIN
10 SEC WEST 89.79 FT; THENCE SOUTH 57
DEG 49 MIN 54 SEC WEST 306.24 FT; THENCE
NORTH 334.52 FT; THENCE SOUTH 89 DEG 35
MIN 00 SEC EAST 381.82 FT TO THE POB.

CURRENT USE: Agricultural

FUTURE LAND USE: Agricultural

PARCEL SIZE: 52 acres MOL.

LOCATION: Center Hill – North side of CR 702 immediately west of Lake County line (Map)

CASE SUMMARY:

The applicant is requesting a minor special use permit to allow construction and operation of a private motocross practice facility. The facility will consist of three tracks clustered in the central portion of the property (Attachment). Trees and native vegetation will be retained around the track area. The tracks will be for the private use of family and friends, and will not be open to the public. The applicant anticipates up to 12 riders with no more than six riding at one. Riding will be limited to Monday thru Friday between the hours of 9 AM and 3 PM. There will be no riding on weekends or in the evenings.

The application site is located in a rural area surrounded by agricultural land, a utility corridor (electric and gas pipeline) and a few rural residential homesites. Surrounding properties are zoned RR1, R4C, RR5 and A10C .

CASE ANALYSIS:

Pursuant to Section 13-332, Sumter County Land Development Code, the proposed special use must meet the following requirements for approval (Staff's review of each of the findings is provided in *italic text*):

- a. The use must be in harmony with the purpose and intent of this chapter.
Private motocross tracks are permitted within the A10C district with a special use permit approval.
- b. The use must be compatible with surrounding existing and anticipated uses.
The surrounding area is agricultural in nature. There is an underground pipeline and powerline corridor extending through much of the property. The owner will work with the utility owners to assure compliance with their easement agreements. The applicant is minimizing potential effects on adjacent lands by retaining native vegetation and limiting hours of operation.
- c. The use must not adversely affect the public interest. Adequate traffic circulation, sanitary, utility, drainage, refuse management, emergency services and similar necessary facilities and services shall be available for the use. A use shall not create hazardous vehicular or pedestrian traffic conditions, or parking congestion, or generate traffic that exceeds the capability of roads and streets serving the use, or otherwise affect public safety.
The proposed use will not generate a significant amount of traffic.
- d. The site must be suitable for the proposed use, considering flood hazard, drainage, soils, and other conditions which may pose a danger to life, health or property.
The property is suitable for the proposed use. The majority of the site is within the regulated floodplain. New fill within the regulated floodplain will need to meet floodplain development standards.
- e. The development of the use shall have no more than a minimal adverse effect on the environment, public health, safety, and welfare.

- The proposed facility will not pose an adverse effect on the environmental, public health, safety or public welfare.*
- f. Proposed improvements and the level of cooperation by the developer shall be considered.
The applicant has been cooperative.
- g. Unless specifically provided otherwise, the use shall comply with this code.
The proposed project will comply with LDC requirements. A floodplain development permit will be required for any fill added within the regulated floodplain.

The following additional requirements must be considered in reviewing special uses (Sec 13-232(2)).

- a. The use must not be detrimental to the neighborhood environment or unduly infringe on the rights of surrounding property owners.

The proposed track will not unduly infringe on the rights of surrounding landowners. The track is to be located in a very rural area with few nearby residences. The applicant is restricting hours of operation to minimize their disturbance.

- b. A vehicular parking or traffic problem must not be created, and the vehicular average daily traffic created on local roads must not be increased in such a manner as to degrade the established function of the roadway or create hazards to public health or safety. The commission and staff may rely on input from the Florida Department of Transportation, the Florida Highway Patrol and the sheriff's office in making this determination.

The proposed project will not be open to the public and will not create a traffic problem.

- c. Screening and buffering sufficient to minimize interference with the enjoyment of surrounding properties may be required.

The applicant is proposing to retain existing trees along the west side of his property to minimize noise impacts on the neighbors. There is a 200-ft wide utility/powerline corridor along the east side of the property that will provide distance between the tracks and eastern neighbors.

DEVELOPMENT SERVICES DEPARTMENT STAFF CONCLUSIONS:

Proof of ownership is on record. TBA LLC has authorized Mr. Rattray to represent them on this application.

Staff has deemed the requested application in compliance with the minimum application requirements of the Sumter County Land Development Code and recommends approval with the following conditions:

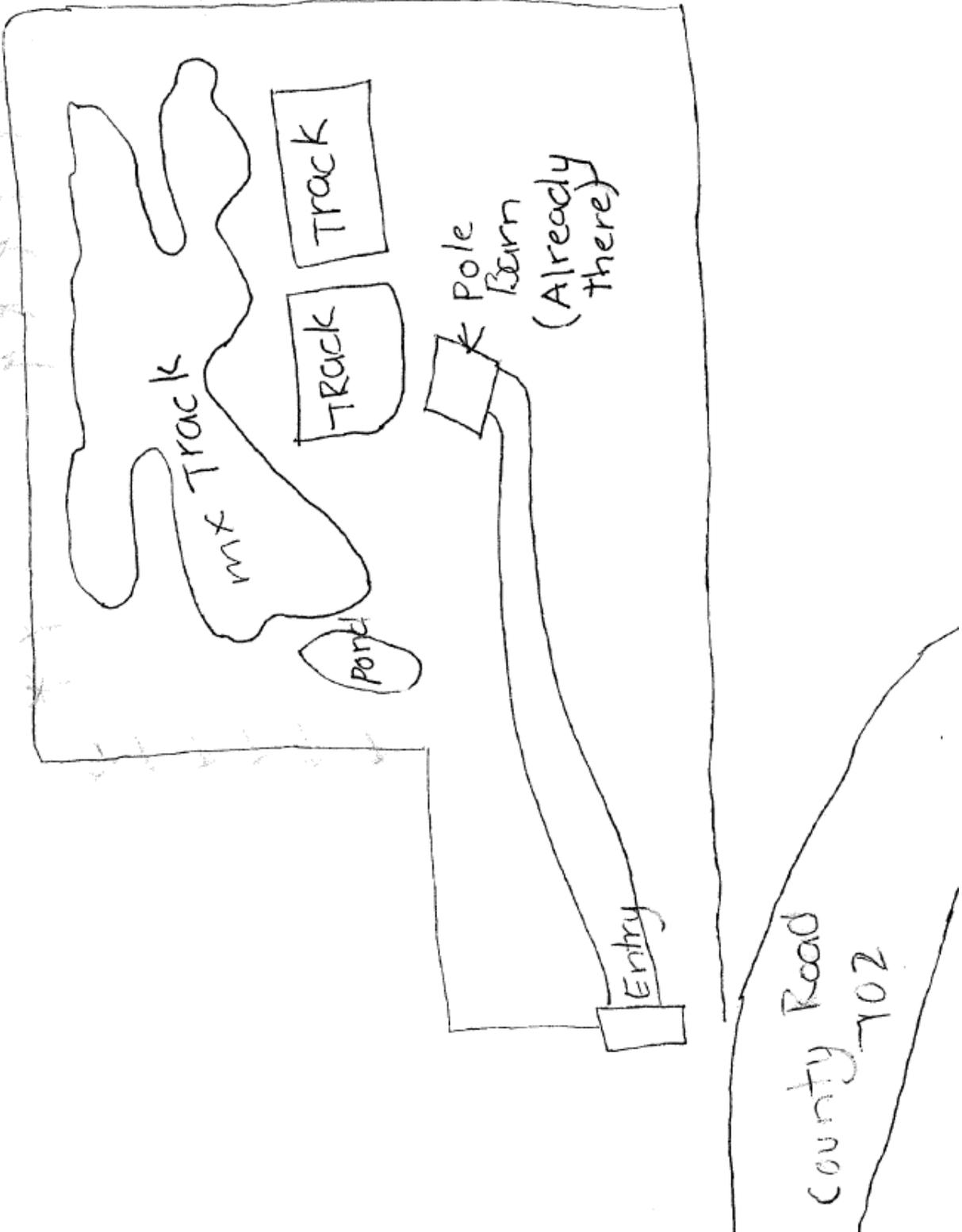
1. This special use permit allows the development and operation of a private practice motocross racetrack facility with up to three (3) dirt tracks that will accommodate no more than six racers at a time.
2. Use of the track is limited to family members, teammates, and friends of the family. Public events and publically advertised special events are prohibited.
3. Hours of operation are limited to 9 AM and 3 PM, Monday through Friday.
4. A minor site plan permit application, with a letter from a licensed engineer verifying compliance with LDC floodplain fill standards, shall be submitted within one year. Site construction shall be complete within two years.
5. Overnight camping is prohibited onsite.
6. County personnel shall be allowed to access the site during operating hours to perform unscheduled monitoring inspections;
7. Suspension, expiration, or revocation of any other agency permit shall result in the immediate suspension, expiration, or revocation of this special use permit;
8. This special use permit may be suspended or revoked by the Board of County Commissioners consistent with Section 13-333(e), Sumter County Land Development Code.

Notices Sent: 15 (No Objection) 0 (Objection) 0

Map
General Location of S2019-0013

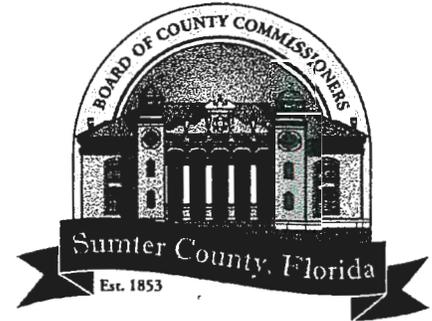


Attachment



Board of County Commissioners Sumter County, Florida

7375 Powell Road, Suite 200 • Wildwood, FL 34785 • Phone (352) 689-4400 • FAX: (352) 689-4401
Website: <http://sumtercountyfl.gov>



December 12, 2019

SCOTT GEORGE E & MYRA G
6611 SE 88TH BLVD
CENTER HILL, FL 33514

To property owners whose property boundaries are within a distance of 500 feet of the outside perimeter of a property in the name of **TBA LLC** (see map on reverse). The property is being considered at a public hearing for a minor special use permit to allow a private motocross track.

CASE# S2019-0013 - Tyla Rattray – A minor special use permit to allow the construction and use of a private motocross track. Track will be for the owner's and his friends personal use and not be open to the public or available for public events.

A public hearing before the Planning and Zoning Special Master will be held at The Everglades Recreation Center, 5497 Marsh Bend Trail, The Villages, FL 32163 on January 6, 2020, at 6:00 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 DIVISION, 7375 Powell Road, Suite 115, Wildwood, Florida, 34785. Alternatively, comments may be emailed to susan.farnsworth@sumtercountyfl.gov **Please include the case number on all emails.** Questions should be directed to Sue Farnsworth at the Planning Division at (352)689-4400.

_____ I support the above.

_____ I have no comment on the above.

I do not support the above for the following reason(s): multiple problems: drainage issues, noise problems, no primary residential use (mobile not habitable) does not meet requirements; adverse effects and not compatible, etc.

Please return no later than **December 31, 2019**

RE: CASE# **S2019-0013**

Al Butler, Dist 1
(352) 689-4400
7375 Powell Road
Wildwood, FL 34785

Don Burgess, Dist 3
(352) 689-4400
7375 Powell Road
Wildwood, FL 34785

Steve Printz, Dist 5
Chairman
(352) 689-4400
7375 Powell Road
Wildwood, FL 34785

Doug Gilpin, Dist 2
(352) 689-4400
7375 Powell Road
Wildwood, FL 34785

Garry Breeden, Dist 4
Vice Chairman
(352) 689-4400
7375 Powell Road
Wildwood, FL 34785

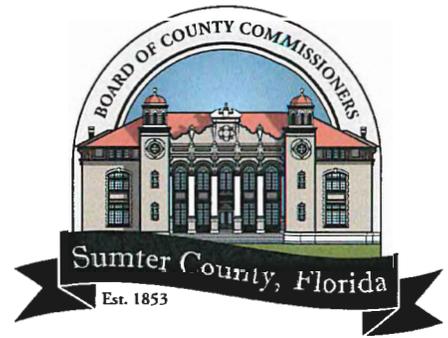
Bradley S. Arnold,
County Administrator
(352) 689-4400
7375 Powell Road
Wildwood, FL 34785

Gloria R. Hayward, Clerk & Auditor
(352) 569-6600
215 East McColium Avenue
Bushnell, FL 33513

County Attorney
The Hogan Law Firm
Post Office Box 485
Brooksville, Florida 34605

Board of County Commissioners Sumter County, Florida

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December 12, 2019

CHARLIE & DARLENE GROOMS
100 YOUTH CAMP RD
GROVELAND, FL 34736

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_____ I support the above.
 _____ I have no comment on the above.
 _____ I do not support the above for the following reason(s): _____
 * See Comment on Back Page

Please return no later than **December 31, 2019**

RECEIVED RE CASE# **S2019-0013**

DEC 27 2019

Sumter County
Development Services

Al Butler, Dist 1
(352) 689-4400
7375 Powell Road
Wildwood, FL 34785

Don Burgess, Dist 3
(352) 689-4400
7375 Powell Road
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Wildwood, FL 34785

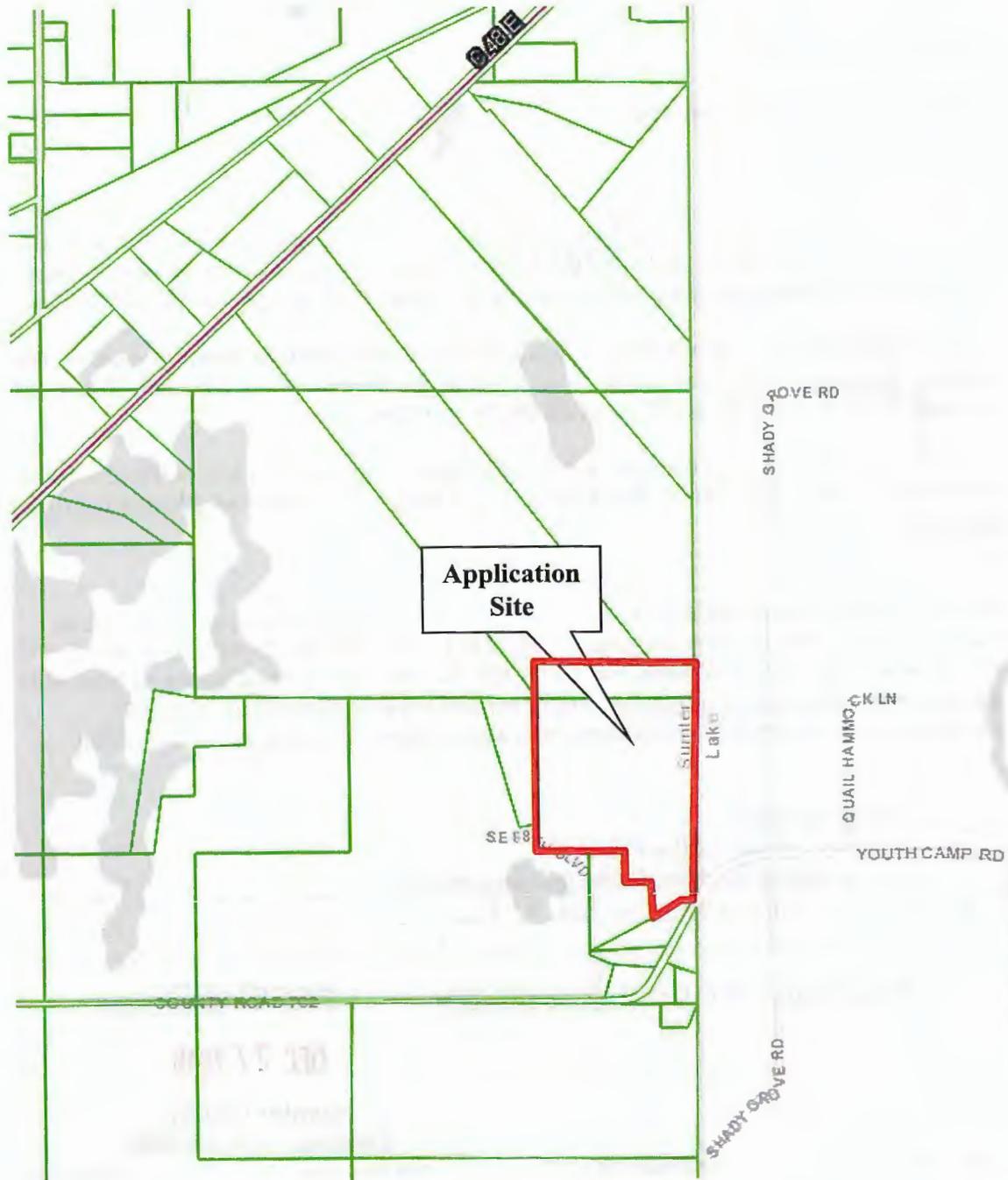
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Location Map

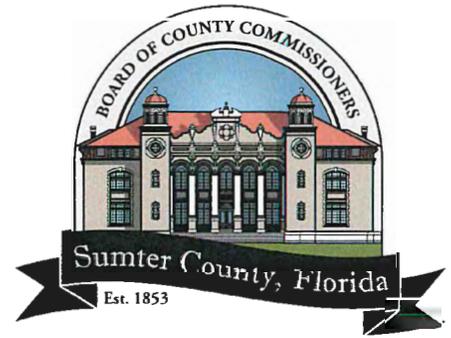


* Firm believe A person should be able to do what they would like to do on their property AS long AS it does NOT decrease the value of other person's property. Also should be considerate of NOISE level AS this property owner works. Rising AT 1:30 A.m. & RETIRES AT 6:30 p.m.

Thank you, *Charles E. Thomas / Darlene Beemo*

Board of County Commissioners Sumter County, Florida

7375 Powell Road, Suite 200 • Wildwood, FL 34785 • Phone (352) 689-4400 • FAX: (352) 689-4401
Website: <http://sumtercountyfl.gov>



December 12, 2019

KRECH MICHAEL A & ELIZABETH M
PO BOX 308
CENTER HILL, FL 33514

Physical Address
6711 SE 38th Blvd
Center Hill FL
33514

To property owners whose property boundaries are within a distance of 500 feet of the outside perimeter of a property in the name of **TBA LLC** (see map on reverse). The property is being considered at a public hearing for a minor special use permit to allow a private motocross track,.

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I support the above.

I have no comment on the above.

I do not support the above for the following reason(s): **NO!! Our property lines meets the whole length of our property! Our property value and the noise. I would like to be outside and hear birds NOT motorcycles! who wants to buy a house next to a motorcycle track.**

Please return no later than **December 31, 2019**

RE: CASE# **S2019-0013**

RECEIVED

DEC 27 2019

**Sumter County
Development Services**

Al Butler, Dist 1
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7375 Powell Road
Wildwood, FL 34785

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(352) 689-4400
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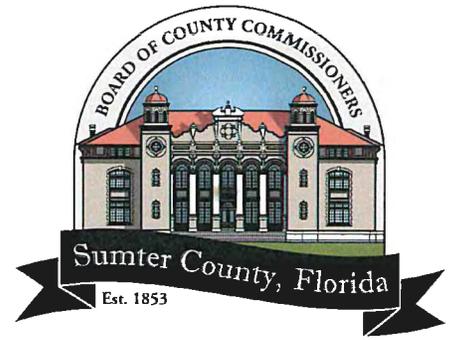
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Board of County Commissioners Sumter County, Florida

7375 Powell Road, Suite 200 • Wildwood, FL 34785 • Phone (352) 689-4400 • FAX: (352) 689-4401
Website: <http://sumtercountyfl.gov>



December 12, 2019

DAVIS RUSSELL JR & SALLY
PO BOX 587
CENTER HILL, FL 33514

RECEIVED
DEC 27 2019
Sumter County
Development Services

To property owners whose property boundaries are within a distance of 500 feet of the outside perimeter of a property in the name of **TBA LLC** (see map on reverse). The property is being considered at a public hearing for a minor special use permit to allow a private motocross track,.

CASE# S2019-0013 - Tyla Rattray – A minor special use permit to allow the construction and use of a private motocross track. Track will be for the owner’s and his friends personal use and not be open to the public or available for public events.

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I support the above.

I have no comment on the above.

I do not support the above for the following reason(s): I have A motocross Track across from me facing south. 6-7 days a week 8-5 all you hear is motorcycles, The wordage on this is the same as for the other track we have had problems with noise, construction, DUST ETC
Please return no later than **December 31, 2019** RE: CASE# **S2019-0013**

PLEASE DO NOT OK FOR ANOTHER MOTOR CROSS TRACK SO CLOSE TO THE OTHER ONE. THANKS Russell D.

Al Butler, Dist 1
(352) 689-4400
7375 Powell Road
Wildwood, FL 34785

Don Burgess, Dist 3
(352) 689-4400
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Wildwood, FL 34785

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Bushnell, FL 33513

County Attorney
The Hogan Law Firm
Post Office Box 485
Brooksville, Florida 34605

~~_____~~

~~_____~~

CASE # S2019-0013 - TYIA RATTRAY

I Live at 9002 CR 702 Centerhill. I AM writing this AS I listen to the Other Motor CROSS TRACK on the South Side They Run 8AM to 5PM Mon-Sat. Now they want to Put ANOTHER track on the EAST side of my property. this is A Very wet area what happens when they put up "Burns" where is the water to drain WE Live on A Weight Restricted Road what about all the Construction, Dump trucks. Heavy equipment ect. Please do Not Rubber STAMP this AT least go Look at Property.

THANK you for your Time

Russell Dawns
9002 CR 702
Centerhill FL 33511

Board of County Commissioners

Development Services Department

Planning Services Division

7375 Powell Rd., Ste. 115, Wildwood, FL 34785 Phone (352) 689-4400 FAX: (352) 689-4401
Website: <http://sumtercountyfl.gov>

Project # S2019-0014
Date Rec'd: 12-13-2019
Planner: Sue

ZAB date 1-6-2020 6 pm

HOME OCCUPATION SPECIAL USE PERMIT APPLICATION

Residential (Home occupation)

Request/Description of Home Based Business: (Additional information may be attached)

Request the home based business of "Love Machining, LLC" to be awarded a Special Use Permit. It will operate as a general/specialty machine shop, and be completely operated out of the enclosed structures on the property. Anticipate no disruption to neighbors.

Applicant Information:

Name of Petitioner(s): Nathan Thomas Love

(or Company/Corp. Name)

Mailing Address: Love Machining LLC, 10353 County Road 671, Bushnell 33513

Phone: TBD Email: nate@lovemachining.com

Mobile: 352-461-4510 Fax: TBD

Property Information:

Legal Description of the property (lengthy descriptions may be attached)

THE NE1/4 OF SE1/4 OF NE1/4. SECTION 3, TOWNSHIP 22 SOUTH, RANGE 21 EAST, LESS THE WEST 25 FEET THEREOF AND LESS ROAD RIGHT OF WAY.

Street Address: 10353 County Road 671, Bushnell 33513

Parcels # R03-024

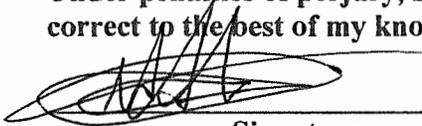
Current Use: RR5C SINGLE FAMILY (00100)

Please Provide:

- Deed or other proof of ownership
- Signed authorization if applicant is not the land owner
- Site plan/sketch (showing how property will be used – if applicable)
- Legal description of the area under application. (lengthy or complex legal descriptions may be required in digital/text format)

As the owner/agent, I agree to post the hearing plaques at least seven (7) days prior to the first hearing on the property's road frontage at the corners and at 300-ft intervals between. I understand any action on my application will be governed by Sumter County's Comprehensive Plan and Land Development Code, and my payment of the non-refundable application fee will not guarantee approval.

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.



Signature

12/12/2019

Date

Nathan Thomas Love

Print Name

A public hearing before the Zoning Special Master (ZSM) will be scheduled once the application is found to be complete. The hearing will be at 6 P.M. at 510 Colony Blvd., The Villages, FL. Your appearance or authorized representative is required at this hearing. Failure for you or your authorized representative's attendance will cause your application to be handled in accordance with the policy adopted in the Sumter County Land Development Code. Minor Special Use Permits are decided by the ZSM. Conditions of approval may be assigned to assure compatibility with the neighborhood. Hearings may be postponed by the ZSM at his/her discretion.

Building permits may be required following approval before business can be conducted.

**SUMTER COUNTY
PLANNING AND ZONING SPECIAL MASTER
January 6, 2020**

CASE NO. S2019-0014

APPLICANT: Nathan Thomas Love

REQUESTED ACTION: Minor Special Use Permit to allow for a machine shop as a home occupation.

PARCEL NUMBER: R03-024

LEGAL DESCRIPTION: NE1/4 OF SE1/4 OF NE1/4 . SECTION 3, TWP 22 S, RNG 21 E, LESS RD R/W

CURRENT USE: Rural Residential

FUTURE LAND USE: Agricultural

PARCEL SIZE: 9.6acres MOL.

LOCATION: Bushnell area – East side of CR 671, 0.4 miles north of CR 673. (Map)

CASE SUMMARY:

The applicant is requesting a minor special use permit to allow him to operate a machine shop as a home occupation. The applicant states that this business will be operated entirely indoors within enclosed structures. No outdoor activity is proposed.

The application site is located in a rural area surrounded by rural homesites and agricultural land. Surrounding properties are zoned RR5C and A10C. The property is bounded by a vested limerock mine (east) and wooded rural residential lots (north, west and south). Residential parcels in the area are generally five acres or larger and predominantly wooded. The subject property is just under ten acres in size and heavily wooded.

CASE ANALYSIS:

Home occupations are addressed in Section 13-642 of the Sumter County Land Development Code. The stated intent of the section is to recognize and avoid potential adverse impacts while allowing reasonable latitude in allowing citizens to pursue economic goals as accessory uses to residential usage. To grant approval, the PZSM must determine that the proposed use can be

conducted without such impact on surrounding residents. The following criteria are provided for consideration:

LDC Sec 13-642 (b)

- (1) Home occupations shall only be located on parcels fronting on roadways within the state or county maintained system.
The subject parcel fronts on CR 671, a county-maintained roadway.
- (2) Due to the typical density of development in recorded and unrecorded subdivisions of record, the following minimum requirements shall apply thereto:
 - a. In the R2, R2C, R4, R4C, R6 and R6C zones, all activities of the home occupation must be inside the residential structure.
 - b. In the RR1, RR1C, RR2.5 and RR2.5C zones, all activities must be within an enclosed structure.
The subject property is zoned RR5C. Operation will be based indoors.
- (3) In addition to subsections (1) and (2), the appropriateness of a home occupation use in terms of location and parcel size shall be determined by the PZSM. The PZSM shall examine:
 - a. The size, location and nature of the subject and surrounding properties.
Surrounding properties are 2.5 to 10-acre rural residential home sites and agricultural land.
 - b. The function and nature of the servicing roadway,
CR 671 is a paved county-maintained roadway.
 - c. The potential for impact on surrounding properties,
The proposed activity will have little impact on surrounding properties.
 - d. The practical effectiveness of mitigation techniques.
No mitigation is required.
 - e. Any other circumstances which are relevant to the placement of the specific use applied for.
The proposed use is compatible with the rural residential neighborhood.

DEVELOPMENT SERVICES DEPARTMENT STAFF CONCLUSIONS:

Proof of ownership is on record.

Staff has deemed the requested application in compliance with the minimum application requirements of the Sumter County Land Development Code and recommends approval with the following conditions:

1. The Special Use Permit approval is for the operation of a machining shop in conjunction with the residential use of the property.

2. There shall be no employees other than family members.
3. The business shall be located within enclosed structures.
4. There shall be no more than ten (10) new car trips per day associated with the machine operation.
5. One sign, not to exceed ten (10) square feet in area and without illumination, shall be allowed.

Notices Sent: 12 (No Objection) 0 (Objection) 0

Map
General Location of S2019-0014



Board of County Commissioners

Development Services Department

Planning Services Division

7375 Powell Rd., Ste. 115, Wildwood, FL 34785 Phone (352) 689-4400 FAX: (352) 689-4401
Website: <http://sumtercountyfl.gov>

Project # R2019-0035
Date Rec'd: 12-4-2019
Planner: Sue F

ZSM 1-6-2020
BOCC 1-14-2020

LAND USE AMENDMENT AND/OR REZONING APPLICATION

 Rezoning

 Land Use Amendment (<10 acres)

 Land Use Amendment (10 acres or more)

Applicant Information:

Name of Property Owner(s): Roland & Patricia A Gardella

Address: 2238 CR 243C, Wildwood, FL 34785

Owner Phone: _____ Email: patgardella@gmail.com

Name of Agent: _____

Address: _____

Agent Phone: _____ Email: _____

Property Information:

Legal Description of the property (lengthy descriptions may be attached)

see deed

Street Address: 1540 C-44A, Wildwood, FL

Parcels # F02-002 Current Use: gov/residential

Current Future Land Use: Ag Current Zoning: ID

Requested Future Land Use _____ Requested Zoning: CN

Acreage requested: 1.2 ac

Reason for the request:

convert surplus government property to commercial usage

Please Provide:

- Deed or other proof of ownership
- Signed authorization if applicant is not the land owner
- Legal description of the area under application. (lengthy or complex legal descriptions may be required in digital/text format)

All properties for which applications require public hearings before the PZSM or commission shall be posted by the applicant with plaques furnished by the director. Such plaques shall identify the application, the requested action, and the date, time and place of hearing. Plaques shall be sufficiently conspicuous in terms of size, location, and content to provide reasonably adequate notice to potentially interested persons of the matter that will appear on the authority's agenda. Such notices shall be posted at least seven (7) days prior to the first hearing at which the subject property will be considered, at locations specified by the director. (Sumter County Land Development Code Sec. 13-315(a)(2).

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.

<u>Roland H Gardella</u>	<u>Patricia A Gardella</u>	<u>12-4-19</u>
Signature		Date
<u>ROLAND H GARDELLA</u>	<u>PATRICIA A GARDELLA</u>	
Print Name		

A public hearing before the Zoning Special Master (ZSM) will be scheduled once the application is found to be complete. The hearing will be at 6 P.M. at 510 Colony Blvd., The Villages, FL. Your appearance or authorized representative is required at this hearing. Failure for you or your authorized representative's attendance will cause your application to be handled in accordance with the policy adopted in the Sumter County Land Development Code. Minor Special Use Permits are decided by the ZSM. Conditions of approval may be assigned to assure compatibility with the neighborhood. Hearings may be postponed by the ZSM at his/her discretion.

**SUMTER COUNTY
REZONING APPLICATION**

**PLANNING AND ZONING SPECIAL MASTER
January 6, 2020**

**BOARD OF COUNTY COMMISSIONERS
January 14, 2020**

CASE NO.: R2019-0034

LAND OWNER: Roland & Patricia Gardella

REQUESTED ACTION: Rezone 1.2 acres MOL from ID (Industrial) to CN (Neighborhood Commercial).

PARCEL NUMBER: F02-002

LEGAL DESCRIPTION: BEG 2201.69 FT S AND 25 FT E O F NW COR OF NE1/4 RUN E 208.71 FT S 309.81 FT TO ROAD R/W NW/ LY ALONG R/W TO A POINT 208.71 FT S OF BEG N TO POB. ALL BEING IN SEC 2, TWP 19 S, RNG 22 E.

EXISTING ZONING: ID

EXISTING USE: Residence

FUTURE LAND USE: Agriculture

PARCEL SIZE: 1.2 acres MOL

LOCATION: Wildwood area – NE corner of the intersection of C-44A, CR 225, and SR 44 (Map 1).

SURROUNDING LAND USE AND ZONING

The application site is located near SR 44 between Wildwood and the Interstate 75 interchange. The corridor includes a mixture of commercial and agricultural uses, with a few residential uses. The subject property is surrounded by agricultural zoning (A10C-north and east), commercial zoning (CH-south and CL-west), and Master Planned

Development zoning (MPD-west). There are rural residential homesites to the northwest along CR 225 (Map 2). The subject property is very close to the Sumter LLC master planned development. Sumter LLC has been approved for over 2000 residential units.

The State of Florida previously owned the property and utilized it for a fire tower. The fire tower was removed in 2008. The applicant purchased the property from the State with intentions of operating a small business on the site.

The CN zoning district provides for limited retail sales and services necessary to meet the immediate needs of the neighborhood from a location that is central, convenient, safe, and harmonious to existing and proposed development. This zone shall be limited to facilities no more than two stories (not exceeding twenty (20) feet in height), and not more than fifteen thousand (15,000) square feet of gross leasable area per parcel. (LDC 13-424(c)(1)). The CN zoning category is allowed within the Agricultural future land use district provided it is adjacent to a residentially zoned major development.

CASE SUMMARY

This property was assigned Industrial zoning to recognize a previous, now obsolete, public use. The size and location of the property are consistent with the neighborhood commercial zoning request. This rezoning request will allow the landowner to redevelop the property as a small business.

The requested rezoning is consistent with the assigned future land use designation and policies of the Unified Comprehensive Plan. The requested rezoning is consistent with the surrounding development pattern and will not change the allowable density or intensity of development.

CASE ANALYSIS:

Section 13-313 (d), *General Administration of Amendment and Permit Applications-Review and Approval Process*, provides for the following review criteria for LDC and zoning map amendments:

- a) Change of conditions, or absence of changed conditions.
Conditions have changed. The previous industrial/governmental use as a fire tower is use is no longer necessary due to urbanization and new technology. Rezoning the property will allow for redevelopment consistent with the surrounding area.
- b) Community need, or lack of community need.
The SR 44 corridor is rapidly urbanizing. This rezoning will allow redevelopment consistent with the changing community needs within the SR 44 corridor.
- c) Benefits to the community.
The rezoning will allow a landowner to redevelop a property no longer needed for government use.

d) The rights of private property owners.

The rezoning will not impinge on the rights of adjacent property owners.

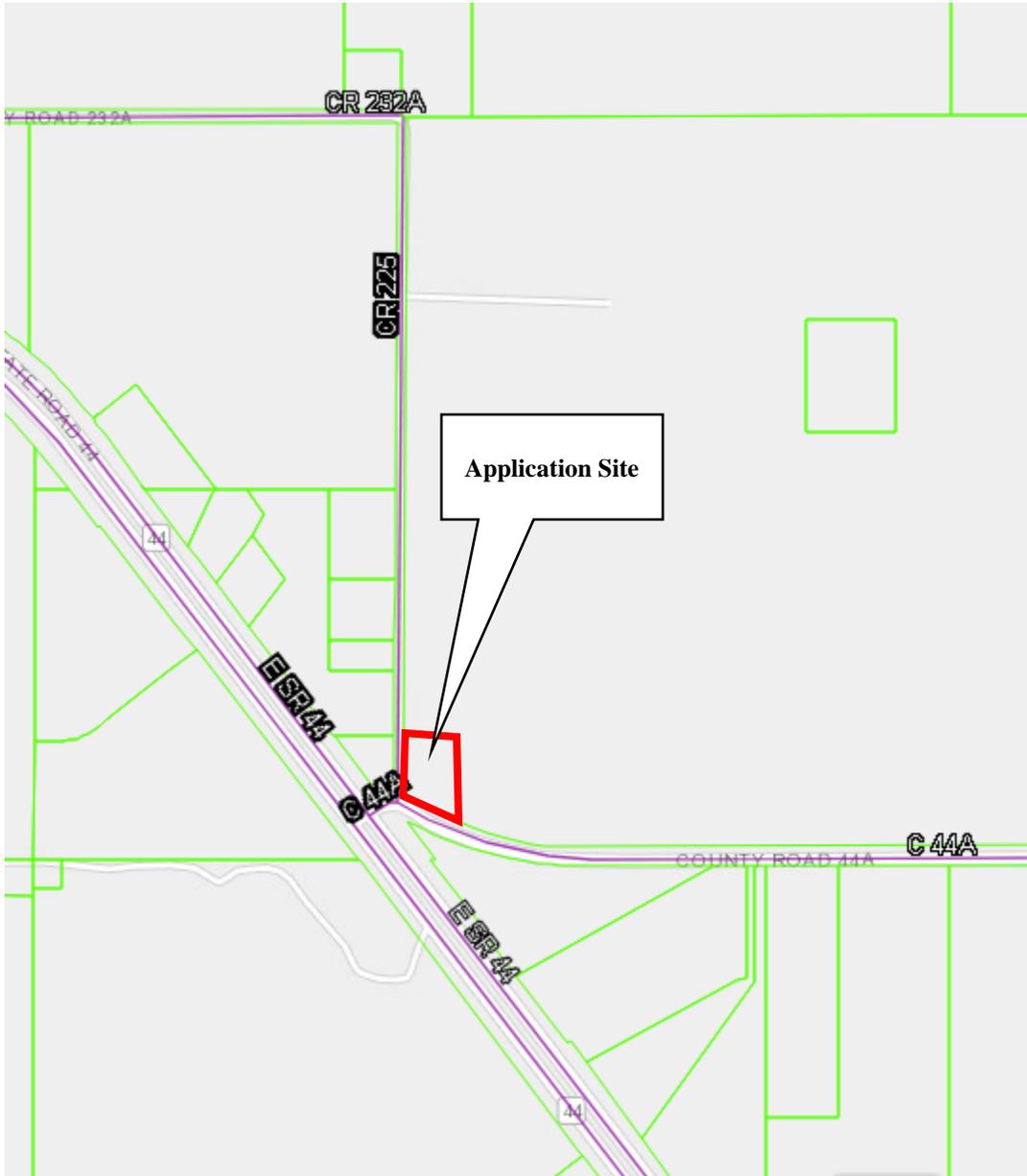
DEVELOPMENT SERVICES DEPARTMENT STAFF CONCLUSIONS

The applicant has provided a deed as proof of ownership.

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: 9 (Support/no comment) 0 (Oppose) 0

Map 1
General Location of R2019-0035



Map 2
Surrounding Area with Zoning Designations
R2019-0035



Board of County Commissioners

Development Services Department

Planning Services Division

7375 Powell Rd., Ste. 115, Wildwood, FL 34785 Phone (352) 689-4400 FAX: (352) 689-4401
Website: <http://sumtercountyfl.gov>

Project # SS 2019-0014
Date Rec'd: 12/20/2019
Planner: Patricia Burgos

ZSM Jan 6, 2019 6:00pm
BOCC Jan 14, 2019 5:00pm

LAND USE AMENDMENT AND/OR REZONING APPLICATION

Rezoning

Land Use Amendment (<10 acres)

Land Use Amendment (10 acres or more)

Applicant Information:

Name of Property Owner(s): Chanderdai Bhurasay and Kaloutie Emmandranauth

Address: 408 Grand Royal Cir, Winter Garden, FL 34787

Owner Phone: _____ Email: _____

Name of Agent: Ronnie Bailey Jr

Address: _____

Agent Phone: 352-536-3065 Email: ronnie.baileyjr@yahoo.com

Property Information:

Legal Description of the property (lengthy descriptions may be attached)

SEE DEED

Street Address: 7645 County Road 217 Wildwood, FL 34785

Parcels # F01-101 Current Use: Vacant, old single family home site

Current Future Land Use: COM Current Zoning: CL

Requested Future Land Use AG Requested Zoning: A10C

Acreage requested: 13.4 MOL

Reason for the request:

Land use change back to AG-A10C for
A single family home and agriculture use. Homes/Agriculture
ARE PRESENT IN THIS AREA.

Please Provide:

- Deed or other proof of ownership
- Signed authorization if applicant is not the land owner
- Legal description of the area under application. (lengthy or complex legal descriptions may be required in digital/text format)

All properties for which applications require public hearings before the PZSM or commission shall be posted by the applicant with plaques furnished by the director. Such plaques shall identify the application, the requested action, and the date, time and place of hearing. Plaques shall be sufficiently conspicuous in terms of size, location, and content to provide reasonably adequate notice to potentially interested persons of the matter that will appear on the authority's agenda. Such notices shall be posted at least seven (7) days prior to the first hearing at which the subject property will be considered, at locations specified by the director. (Sumter County Land Development Code Sec. 13-315(a)(2)).

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.

Ronnie Basley Jr 12/20/19
Signature Date

Ronnie Basley Jr
Print Name

A public hearing before the Zoning Special Master (ZSM) will be scheduled once the application is found to be complete. The hearing will be at 6 P.M. at 510 Colony Blvd., The Villages, FL. Your appearance or authorized representative is required at this hearing. Failure for you or your authorized representative's attendance will cause your application to be handled in accordance with the policy adopted in the Sumter County Land Development Code. Minor Special Use Permits are decided by the ZSM. Conditions of approval may be assigned to assure compatibility with the neighborhood. Hearings may be postponed by the ZSM at his/her discretion.

1/19/22
6/19/23

Exhibit A

Lot 1, of an unrecorded subdivision in Section 1, Township 19 South, Range 22 East, and Section 6, Township 19 South, Range 23 East, Sumter County, Florida, further described as: Begin at the Northwest corner of the SE 1/4 of the NE 1/4 of Section 1, Township 19 South, Range 22 East, Sumter County, Florida, thence N 89°44'08" E along the North line of said SE 1/4 of the NE 1/4, a distance of 1328.28 feet, to the Northeast corner of said SE 1/4 of the NE 1/4, said corner also being the Northwest corner of the S 1/2 of the NW 1/4 of Section 6, Township 19 South, Range 23 East, thence S 89°59'41" E a distance of 16.59 feet, thence S 00°01'12" W, a distance of 430.00 feet, thence S 89°44'20" W a distance of 1345.34 feet to the West line of said SE 1/4 of the NE 1/4, thence N 00°04'56" E along said West line a distance of 430.00 feet, to the Point of Beginning.

SUBJECT TO a road easement described as follows: Begin at the Northwest corner of the SE 1/4 of the NE 1/4 of Section 1, Township 19 South, Range 22 East, thence N 89°44'08" E along the North line of said SE 1/4 of the NE 1/4, a distance of 27.86 feet, thence S 00°01'12" W a distance of 430.00 feet, thence S 89°44'20" W a distance of 28.33 feet, to the West line of said Se 1/4 of the NE 1/4, thence N 00°04'56" E along said West line a distance of 430.00 feet, to the Point of Beginning.

SUBJECT TO a water, sewer and grey water easement described in Official Record Book 490, Page 552, Public Records of Sumter County, Florida.

SAID LAND IS SUBJECT TO THE FOLLOWING DEED RESTRICTIONS, WHICH SHALL RUN WITH THE LAND:

1. Any Mobile Home placed on the land shall be a double wide or larger and shall be no more than 10 years old.
2. Single family residence and shall have a minimum of 1500 square feet of living space.

SMALL SCALE FUTURE LAND USE AMENDMENT
SUMTER COUNTY ZONING AND ADJUSTMENT BOARD
April 1, 2019

BOARD OF COUNTY COMMISSIONERS
April 9, 2019

CASE NUMBER: SS2019-0014

LANDOWNER: Chanderdai Bharosay and Kaloutie Emmandranauth

REPRESENTATIVE: Ronnie Bailey

REQUEST: Change the Future Land Use Designation on 13.4 acres MOL from Commercial to Agricultural consistent with the City of Wildwood Joint Planning Area Agreement Map

PARCEL NUMBER: F10-101

LOCATION: SE Corner of NE 77th Rd and CR 217 (Map 1).

LEGAL DESCRIPTION: Lot 1, of an unrecorded subdivision in Sec 1, Twp 19 S, Rng 22 E, and Sec 6, Twp 19 S, Rng 23 E, Sumter County, Florida, further described as: Begin at the NW corner of the SE ¼ of the NE ¼ of Sec 1, Twp 19 S, Rng 22 E, Sumter County, Florida, thence N 89DEG44'08" E along the North line of said SE ¼ of the NE ¼, a distance 1328.28 feet, to the Northeast corner of said SE ¼ of the NE ¼, said corner also being the Northwest corner of the S ½ of the NW ¼ of Sec 6, Twp 19S, Rng 23E, thence S 89DEG59'41" E a distance of 16.59 feet, thence S 00DEG01'12" W, a distance of 430.0 feet, thence S 89DEG44'20" W a distance of 1345.34 feet to the west line of said SE ¼ of the NE ¼, thence N 00DEG04'56" E along said west line a distance of 430.0 feet, to the POB

GENERAL DESCRIPTION AND BACKGROUND

The subject property is located on the east side of CR 217 immediately west of the City of Wildwood municipal limits (Map 1). It is located within the City of Wildwood-Sumter County Joint Planning Area (JPA) where it is designated for Commercial use. The applicant is requesting a Comprehensive Plan Amendment from Commercial to Agricultural on 13.4 acres (Map 2) to reverse the recent change to Commercial approved by the Board of County Commissioners on 4-9-2019. The purpose of the request is to allow the use of the property for a single-family home

until such time as there is greater market demand for use The application is being heard as a small scale map amendment per Florida Statutes 171.204(2).

SURROUNDING LAND USE AND ZONING

The surrounding neighborhood is rural residential and agricultural in nature. The surrounding properties are designated Agricultural (north and south), and Low Density Residential (west) on the Unified Comprehensive Plan Future Land Use Map. The property to the east is designated Commercial on the City of Wildwood's Future Land Use Map. Surrounding area has a mixture of commercial, residential and agricultural zonings, including City of Wildwood C-2 zoning immediately to the east of the property. The property is vacant.

LAND USE SUITABILITY

Urban Sprawl

The proposed amendment displays none of 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) (Attached).

Environmental Resources

The property is currently vacant and does not contain significant natural resources.

Historic Resources

This location does not appear on the Master Site File of Historic Resources.

Population and Housing

The proposed amendment will improve the availability of housing.

CONCURRENCY ANALYSIS

Potable Water & Sewer

The project area is served by the City of Wildwood's utilities. The City of Wildwood may require connection at the time of construction. The proposed land use amendment will not affect the availability of these utilities.

Stormwater Drainage

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

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

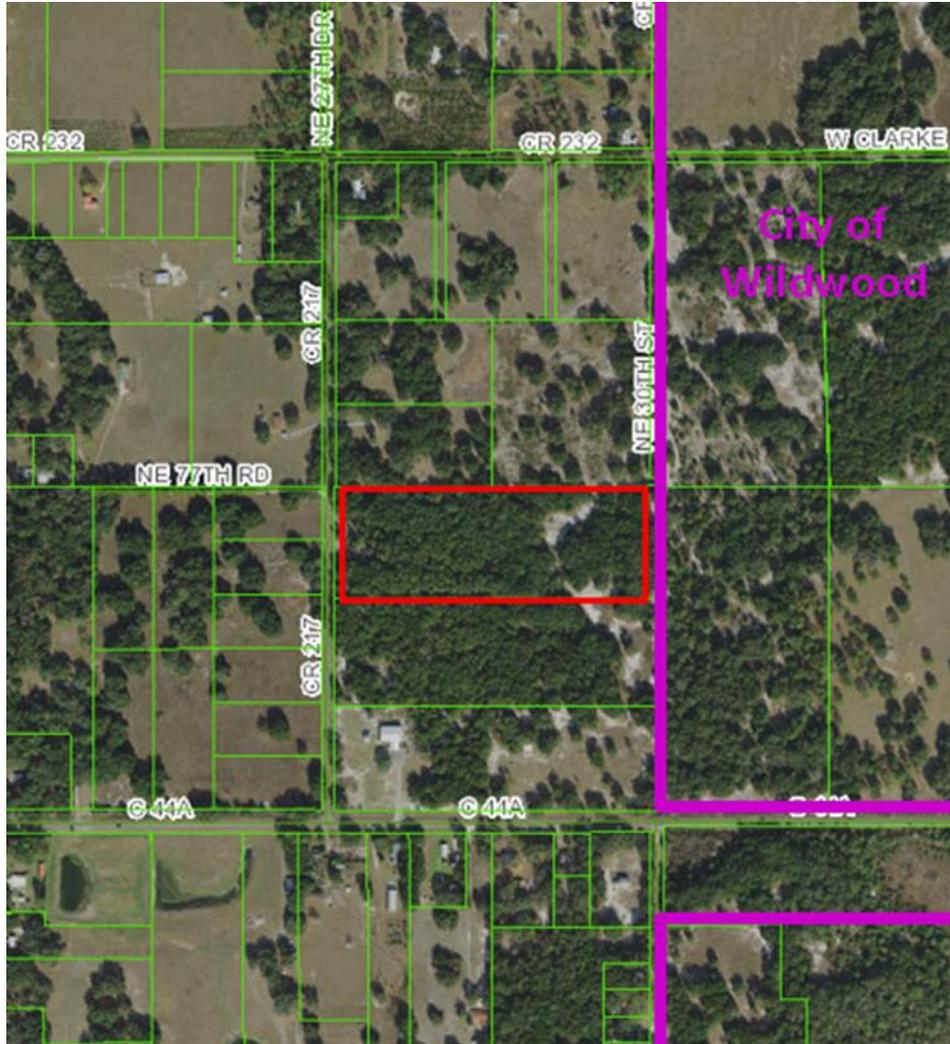
This proposed amendment does not affect the Capital Improvements program as outlined in the Sumter County Comprehensive Plan.

CONCLUSIONS

The proposed amendment is consistent with the applicable policies of the Sumter County Comprehensive Plan.

Notices Sent: 9 (Support/No Objection) 0 (Objection) 0

Map 1
General Location of SS2019-0014
(Subject Site shown in Red)



Map 2
Future Land Use Map
SS2019-0014



Existing Future
Land Use
Designations



Proposed Future
Land Use
Designations

-  Agricultural
-  Rural Residential
-  Commercial
(City of Wildwood)

Attachment
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 substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses. **The proposed amendment affects 13.4 acres, an insubstantial area of the jurisdiction.**
- 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 located within the Urban Development Boundary.**
- III. Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments. **The subject property is not isolated or in an area of strip development.**
- 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. **There are no wetlands, flood zone or environmentally sensitive areas on the 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 proposed project will not have an adverse impact on agricultural activities.**
- VI. Fails to maximize use of existing public facilities and services. **Existing public facilities and services are adjacent to the property.**
- VII. Fails to maximize use of future public facilities and services. **The subject property will utilize public facilities when required.**
- 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. Fails to provide a clear separation between rural and urban land uses. **The proposed use of the site will not disproportionately increase the cost of public services in the area.**
- IX. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities. **The requested amendment does not discourage or inhibit infill activities.**
- X. Fails to encourage a functional mix of uses. **The proposed use at the subject property will contribute to the functional mix of uses.**

- XI. Results in poor accessibility among linked or related land uses. **The proposed land use amendment will not affect the accessibility of adjacent lands.**
- XII. Results in the loss of significant amounts of functional open space. **The subject property does not impact functional open space.**

Further, a future land use amendment is required to meet four or more criteria listed in F.S. 163.3177.9.b. The proposed land use amendment meets the following four listed criteria:

- (I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on that protects natural resources and ecosystems. **The subject property does not contain significant native vegetation or wetlands. This application directs development to an area that does not have an adverse impact on natural resources.**
- (II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services. **The proposed amendment will not require additional public infrastructure.**
- (III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit. **The proposed amendment will not affect housing options or transit.**
- (VII) Creates a balance of land uses based upon demands of residential population for the nonresidential needs of an area. **The proposed project will not significantly affect the mixture of land uses in the County.**