

**Sumter County Planning and Zoning Special Master
March 02, 2020, 6 P.M.
Everglades Recreation Center, 5497 Marsh Bend Trl., The
Villages, FL**

T2020-0002 - Vanderpool

Requested Action: Temporary Use Permit to allow the continued use of a mobile home as a medical care receiver residence.

Documents:

[T2020-0002 application_ADA.pdf](#)
[T2020-0002 Vanderpool staff report_ADA.pdf](#)

V2020-0001 - Pitts

Requested Action: An after-the-fact variance to reduce the roadway setback requirements from CR 454 from 25-ft to allow the construction of a swimming pool.

Documents:

[V2020-0001 application_ADA.pdf](#)
[V2020-0001-Staff report_ADA.pdf](#)
[V2020-0001 Pitts Public input_ADA.pdf](#)
[V2020-0001 - Public Input 2_ADA.pdf](#)

SS2020-0003 - Maier

Requested Action: Recommendation to the BOCC on changing the future land use assignment on 0.96 acres MOL from Rural Residential to Commercial.

Documents:

[SS2020-0003 application_ADA.pdf](#)
[SS2020-0003 Maier staff report_ADA.pdf](#)
[SS2020-0003 and R2020-0003 Public input_ADA.pdf](#)

R2020-0003 - Maier

Requested Action: Recommendation to the BOCC on rezoning 12.9 acres MOL from RR1 and R2C to Heavy Commercial in conjunction with SS2020-0003.

Documents:

[R2020-0003 application_ADA.pdf](#)
[R2020-0003-Maier - staff report_ADA.pdf](#)

R2020-0004 - Thomas

Requested Action: Recommendation to the BOCC on rezoning 0.55 acres MOL from R4C to R4M.

Documents:

[R2020-0004 application_ADA.pdf](#)
[R2020-0004-thomas - staff report_ADA.pdf](#)
[R2020-0004 - Public Input_ADA.pdf](#)

R2020-0005 - Repass

Requested Action: Recommendation to the BOCC on rezoning 7.4 acres MOL from A10C to RR5C.

Documents:

[R2020-0005 application_ADA.pdf](#)
[R2020-0005-Repass - staff report_ADA.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 # T2020-0002
Date Recv'd: 1-29-2020
Planner: Sue

Planning and Zoning Special master meeting
3-2-2020 @ 6 pm
Everglades Rec Center

MEDICAL HARDSHIP TEMPORARY USE PERMIT APPLICATION

Request: (Additional information may be attached)

renew medical hardship for continued use of mobile home

as medical care receivers

Dates of Use: _____

Applicant Information:

Name of Petitioner(s):

Martha Vanderpool

Mailing Address: 1274 CR. 543-A

Sumterville, FL. 33585

Phone: 321-202-6643

Email: Tara.Vanderpool@gmail.com

**MEDICAL STATEMENT FOR CONSIDERATION OF
CARE GIVER OR CARE RECEIVER ASSISTANCE**

Date: 1-29-20

Patient's Name: Martha J. Vanderpool

The above named patient has requested a temporary use permit to allow a second residence on the property because of extreme medical hardship. Generally, this is requested when, due to illness or other infirmity, on-site assistance is required for the patient's health and well being.

Please affirm that due to medical concerns, your patient requires continuous necessary medical care and oversight that requires an on-site caregiver.

I CERTIFY THAT THE ABOVE IS TRUE AND CORRECT.

PHYSICIAN'S NAME & ADDRESS

(Please type or print)

Dr. Daniel Dstteffano MD
Clark Clinic - 212 - South Florida St.
Bushnell FL 335136703


Examining Doctor's Signature

AEVJ73
Examining Doctor's State Medical License Number

**This document must be signed by a Medical Doctor (MD) or
Doctor of Osteopathy (DO).**

SUMTER COUNTY
PLANNING AND ZONING SPECIAL MASTER MEETING
March 2, 2020

CASE NO. T2020-0002

APPLICANT: Martha Vanderpool

REQUESTED ACTION: Renew a Temporary Use Permit (T2016-0011) to allow the continued use of a mobile home for a medical care giver's residence.

PARCEL NUMBER: J23-062

LEGAL DESCRIPTION: N1/2 OF NW1/4 OF SW1/4 OF NE1/4 LESS S 60 FT THEREOF & LESS W 264 FT THEREOF, ALL BEING IN SEC 23, TWP 20 S, RNG 22 E.

EXISTING ZONING: RR1

FUTURE LAND USE: Agricultural

EXISTING USE: Residence and mobile home

PARCEL SIZE: 2.44 acres MOL

LOCATION: Sumterville area – Located on the west side of CR 543A approximately 3/5 mile and .6 miles north of S US Hwy 301.

CASE SUMMARY:

The request is to renew a Temporary Use Permit (TUP) to allow for use of a mobile home as a medical care giver's unit for three (3) years. The original care recipient has passed away; however, they have another family member that would like to utilize the ADA accessible home. The applicant supplied a letter, dated January 29, 2020, from Dr. Dstteffano, M.D., stating that the older family member requires medical care from an on-site caregiver.

This medical hardship TUP was originally approved on April 7, 2009 as T2009-0011 and renewed on December 19, 2016 as T2016-0011. The mobile home was lawfully installed onsite with the required building permits. Staff has not received any code complaints regarding this use.

The application site is located in a rural residential area with homes on acreage (see location map).

CASE ANALYSIS:

Section 13-621(c), Sumter County Land Development Code, allows the temporary use of a RV or mobile home to provide housing for a medical care receiver or medical caregiver. The initial approval is for a one-year, and may be renewed by the PZSM in three (3) year increments. The

temporary structure must be removed after the TUP approval expires or the medical need no longer exists.

The granting of the TUP will not adversely affect the surrounding properties, environment, or public safety and welfare as long as the TUP is maintained consistent with Sec. 13-621 (c) Sumter County Land Development Code.

Section 13-313 (d), *General Administration of Amendment and Permit Applications-Review and Approval Process*, provides for the following review criteria for special, conditional and temporary land use permits:

- a) Community need, or lack of community need.
The medical care giver's residence serves a community need by allowing for temporary housing during a medical hardship situation.
- b) Adverse impacts on the community.
The medical care giver's residence has created no complaints from residents and does not appear to be having any adverse impact on the community.
- c) Benefits to the community.
Medical hardship TUPs benefit the community by providing for safe housing options for the medically needy.
- d) The rights of private property owners.
The medical care giver's residence has not impinged on the rights of adjacent property owners.

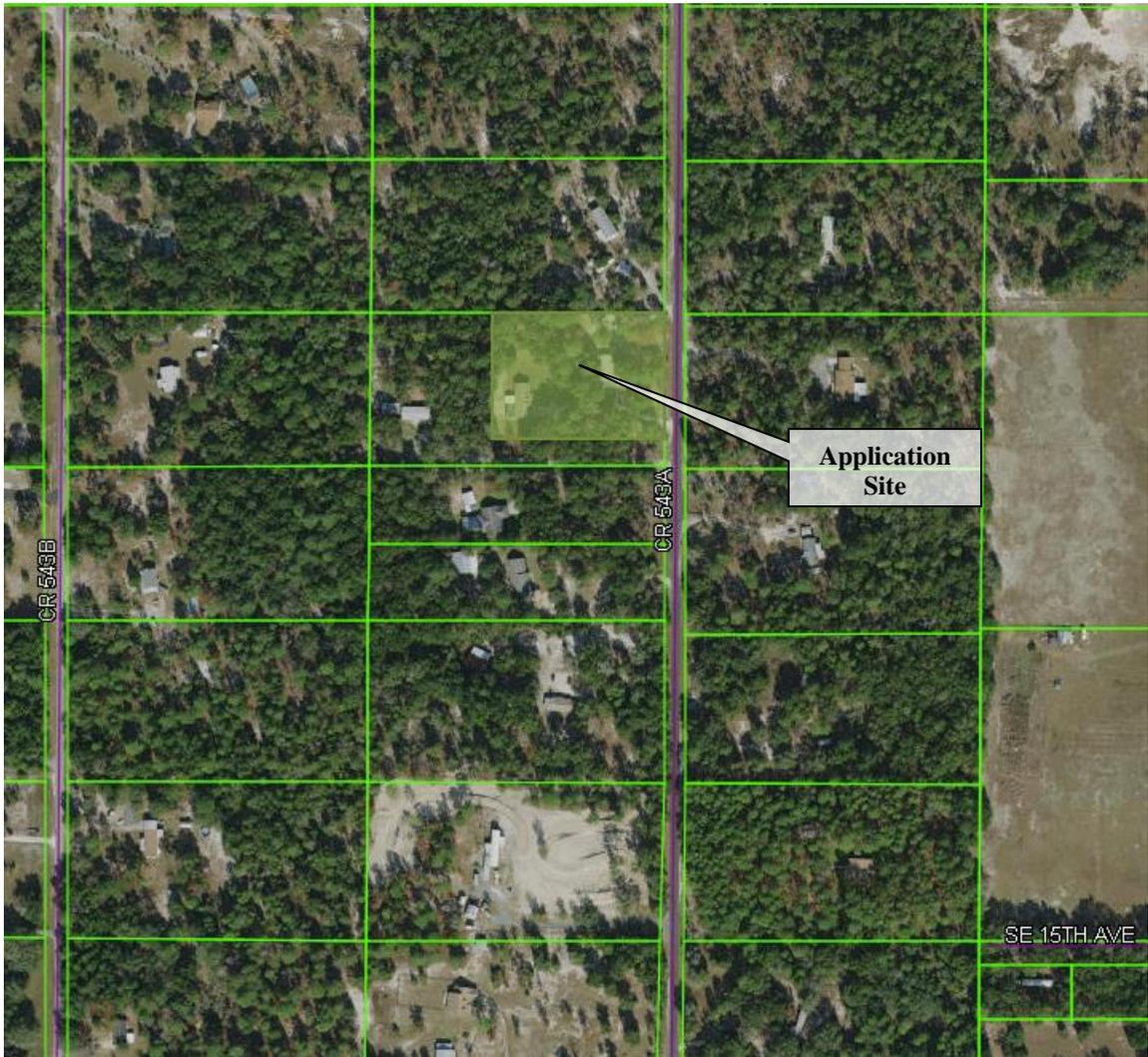
DEVELOPMENT SERVICES DIVISION STAFF CONCLUSIONS:

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 subject to the following conditions:

- 1. The caregiver and care receiver must reside on the property on a full-time basis during the period prescribed herein. Occupants of the second principal residence shall be restricted to the caregiver or care receiver, the caregiver's or care receiver's spouse or partner, and the minor children of the caregiver or care receiver's spouse or partner.
- 2. T2020-0002 shall expire March 3, 2023.
- 3. The mobile home must be removed within 90 days of the TUP expiration date or if the medical care receiver no longer resides on the property.

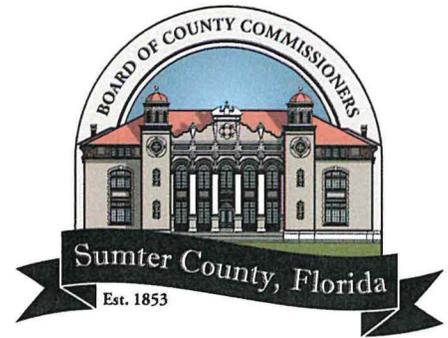
Notices Sent: 16 (In objection) 0 (In favor) 1

**T2020-0002
Location**



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>



February 13, 2020

CLINE MITCHELL & DAWN
1300 CR 543A
SUMTERVILLE, FL 33585

RECEIVED

FEB 24 2020

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 **Martha Vanderpool** (see map on reverse). The property is being considered at a public hearing for a Temporary Use Permit.

CASE# T2020-0002 - Vanderpool – Temporary Use Permit to allow the continued use of a mobile home for a medical care receiver residence.

A **public hearing** before the Planning and Zoning Special Master will be held at **Everglades Recreation Center, 5497 Marsh Bend Trl, The Villages, Florida** on **March 3, 2020, at 6:00 p.m.**

The property is generally located on the south side of CR 316, 1000-ft west of CR 317 (see map)

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, ext.

I support the above.

I have no comment on the above.

I do not support the above for the following reason(s): _____

Please return no later than **February 27, 2020**

RE: CASE# **T2020-0002**

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

Don Burgess, Dist 3
Chairman
(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 McCollum Avenue
Bushnell, FL 33513

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

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 # _____
Date Recv'd: _____
Planner: _____

ZAB date _____

VARIANCE APPLICATION

Applicant Information:

Name of Property Owner(s): Shawn D. Pitts

Address: 899 CR 455

Lake panasoffkee FI 33538

Owner Phone: 352-446-4273 Email: shawn@tricitylandscapes.com

Name of Agent: shawn pitts

Address: 899 cr 455 Lake Panasoffkee FI 33538

Agent Phone: 352-446-4273 Email: shawn@tricitylandscapes.com

Request: (Additional information may be attached)

Variance for a swimming pool

see additional information attached

What is the Nature of the Hardship:

I have a road in front of my property and a road behind my property

Property Information:

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

lot 3 and 4 BLK Tracy's Point ORG Plat Book 2 page 261/2

Street Address: 899 cr 455 Lake Panasoffkee Fl 33538

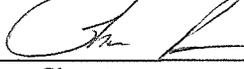
Parcels # lot 3 Current Use: no use/back yard

Please Provide:

1. Deed or other proof of ownership
2. Signed authorization if applicant is not the land owner
3. Site plan/sketch drawn to scale showing how property will be used (identify areas where the variance is being requested – setbacks, landscaping, etc))
4. 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.



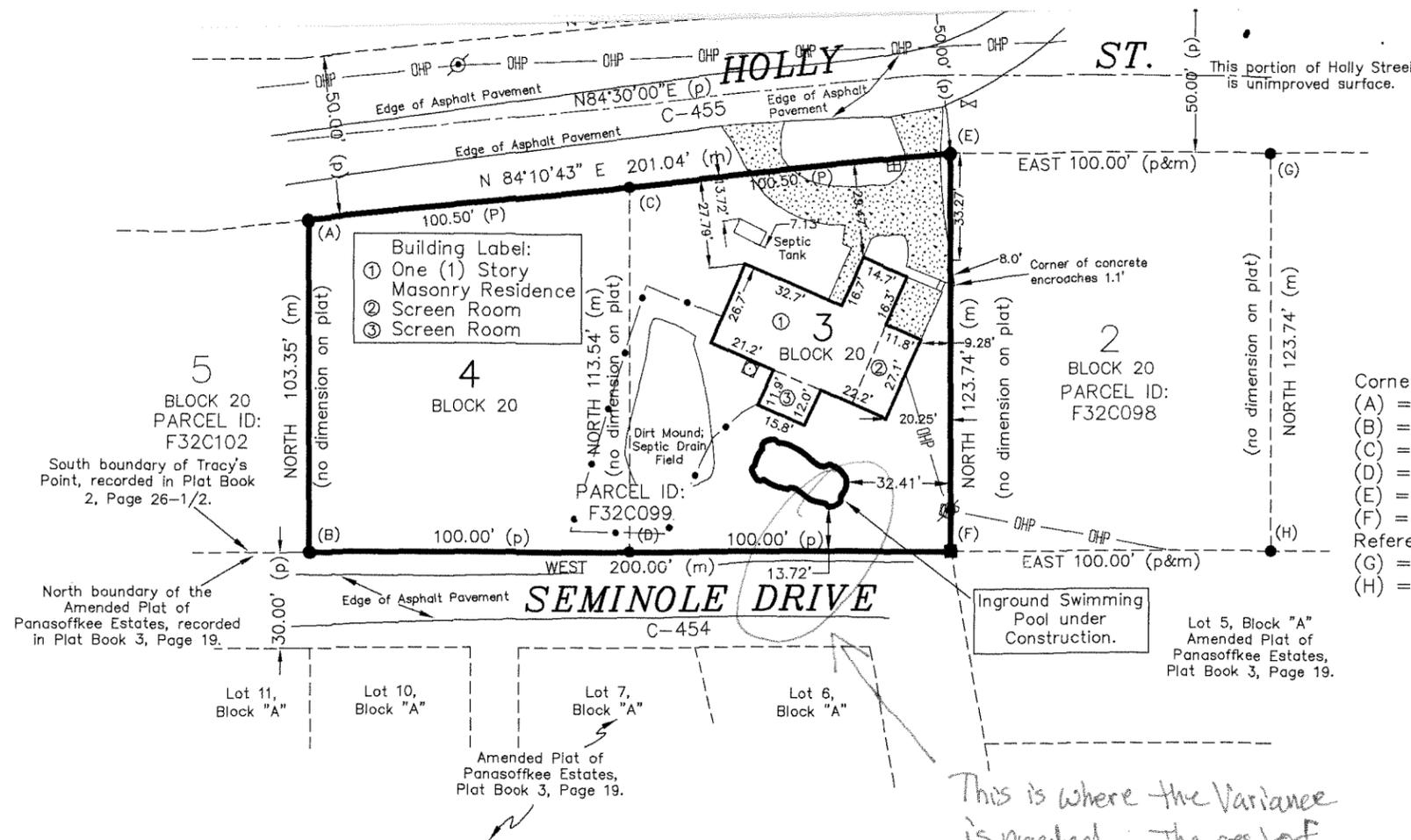
Signature
Shawn D. Pitts
Print Name

1/21/2020

Date

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.



LEGEND

These standard symbols will be found in the drawing.

- ⊗ Water Valve
- ⊕ Water Meter
- ⊙ Utility Pole
- Chain Link Fence
- OHP— Overhead Utility Line
- ▒ Typical Concrete

- Corner Data:
- (A) = Found 1/2" rebar with cap marked Galassi LS 4904
 - (B) = Found 1/2" rebar with cap marked Galassi LS 4904
 - (C) = Found 5/8" rebar with cap marked Owens, PSM 3522
 - (D) = Found 5/8" rebar with cap marked Owens, PSM 3522
 - (E) = Found 5/8" rebar with cap marked Owens, PSM 3522
 - (F) = Found four (4) inch square concrete Permanent Reference Monument with no surveyor's identification
 - (G) = Found 5/8" rebar with cap marked Owens, PSM 3522
 - (H) = Found 5/8" rebar with cap marked Owens, PSM 3522

MAP OF BOUNDARY SURVEY

In
Tracy's Point
Sumter County, Florida
Client: Shawn Pitts

Map of Boundary Survey:

This survey map and report is not valid without the signature and original seal of the Florida licensed surveyor and mapper which can be found at the end of this report.

Description:

Lot 3 and Lot 4, Block 20, TRACY'S POINT, as per plat recorded in Plat Book 2, Page 26 1/2, Public Records of Sumter County, Florida.

Data Sources:

- 1) Survey request by client, Shawn Pitts.
- 3) Map of TRACY'S POINT, as recorded in Plat Book 2, Page 26 1/2, Public Records of Sumter County, Florida.
- 4) Permanent Reference Monuments and corner monuments, as found in place.

Limitations:

- 1) No research was made in the Public Records of Sumter County, Florida by the office of Billy Earl Owens, PSM, for easements, restrictions, rights-of-way, or reservations.
- 2) Subsurface and environmental conditions were not examined or considered as a part of this survey.
- 3) The word "certify" or "certificate" as shown and used hereon means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied.
- 4) Underground utilities were not located.
- 5) Underground foundations, if any, were not located.
- 6) Survey and description are subject to easements, restrictions, rights-of-way and reservations, if any.

Easements:

No easements were furnished.

Notes:

- 1) Bearings were based on the map of TRACY'S POINT, and the monumented line as shown hereon.
- 2) All bearings and distances noted (p) are according to the map of TRACY'S POINT. All bearing and distances noted (m) are according to field measurements. If neither (plat) nor (measured) are shown, the dimension is field measured.

Accuracy Statement:

This survey was performed utilizing a Carlson (Hemisphere) BRX 6, GNSS Receiver and Carlson Robotic Total Station. Corner monuments found set were verified by redundant measurements. Monuments found exceeds the minimum relative distance accuracy of 1 foot in 10,000 feet.

Survey is for the benefit of:

Shawn Pitts

Surveyor's certification:

I hereby certify this Map and Report of Boundary Survey meets the STANDARDS OF PRACTICE for surveying as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17, Florida Administrative Code pursuant to Section 472.027, Florida Statutes.
Date of Survey: January 6, 2020

Billy Earl Owens

Billy Earl Owens, PSM
Florida Certificate No. 3522
VOID UNLESS SIGNED AND EMBOSSED WITH SURVEYOR'S SEAL
doc\ 8327 dc

Prepared by:
Billy Earl Owens, PSM
Surveyor and Mapper
Mailing Address: 494 CR 416N
Physical Address: 39 CR 494
Lake Panasoffkee, FL 33538
PH: 352-793-2854
e-mail: beopsm3522@gmail.com

DRAWN BY: beo	REVISIONS	PROJECT	SHT. NAME	SHT. NO.
DATE: Plat January 21, 2020		Pitts Tracy's Point Subdivision		1 of 1
DWG. NO.: 8327				
APPROVED BY: beo/leo				

Shawn Pitts
899 Cr 455
Lake Panasoffkee FL 33538
1/20/2020

To Whom it may concern:

On or about the third week in October I called the building department in Bushnell Florida to inquire about what is needed to be able to install a pool in my back yard. I do not recall what the lady's name was. She informed me about applying for the permit and I was told to come down to the office with the necessary paperwork. At the time I was on the phone I also inquired about the setbacks that were required. I was told that the pool had to be at least five feet from any property line and five feet from the house. I was also concerned with about how far it needed to be from the drain field. I was then transferred to the health department to find out and they told me that it had to be at least five feet from the drain field also. With all the information at hand my thinking was that I will have no issues with the setbacks, and I had plenty of room to spare.

On the last week in October give or take I took all the paperwork that I had to the county and applied for my permit. I was told it had to go under review and that it would take about a week or two. With that in mind I was in contact with a contractor to dig and set the pool in the ground and they were scheduled to do the work on the 29th of November. Two weeks went by and there was an issue with one piece of paperwork of the pool design and being it was the holiday season they were on vacation and it took forever to get the necessary paperwork. I was under the impression since I applied for the permit that it would be ok to start the work. I was of course wrong about this unfortunately and this was totally my own fault. Keep in mind I am not a contractor and do not know to much about it.

We finally get the paperwork that was necessary for the permit and I had my fiancé deliver it to the Bushnell office. The women at the building department told my fiancé that I would have to move the pool in order to receive the permit. In disbelief I called the building department and sure enough they told

me the same thing that the pool was too close to the road. I then ask them why they would tell me that there is a five-foot setback from the property line. They replied we never told you that. I was definitely told this but don't want to get into an argument of he said she said and asked what I can do to make this work. She informed me that I could apply for a variance, but they would not recommend it because it is a swimming pool. She said I was in luck though because I can put it on my other lot.

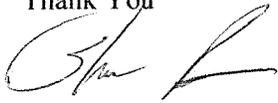
I informed her that I do not want to walk to my adjacent lot to get in my swimming pool and that I have had plans to put a garage at some point on that other lot. It also has too many trees and the fact that the pool cannot be moved without damaging it. She proceeded to tell me that my only other option was to fill it in. So, after speaking with several people in the department I have no other option but to file for this variance. So that is my side of the story and yes, I made a big mistake by not waiting for the permit to be issued but like I said I am not a contractor and really did not think I was doing anything wrong.

Meantime, I have a neighbor calling to complain to the county about my pool. Mrs. Diana Rought is the one that called, and I know this because she called my fiancé and told her that she called. She proceeded to tell my fiancé that my pool is going to mess up her front yard. Keep in mind Mrs. Rought does not have a front yard and she is really mad because she cannot get in and out of her driveway now because she was using my driveway to get in and out. I had no issues with her using my driveway and never complained about it. I just wanted a swimming pool and I had to pull up my driveway for the pool and the fence that will eventually go around it.

Therefore, I am applying for the Variance. I believe that my pool would not in any way effect the safety of this dead-end street with very few houses on it. Also, the fact that most of the houses on this road are not full-time residents of Florida. The measurements that I have are not that far off from what the building department is requiring. The one end of the pool is approximately 14 feet from my property line 18 from the edge of the road. As far as I can tell the other end of the pool is ok. It is the way the road comes at an angle with my property. I am also applying for the variance because if I would have to pull the pool from the ground it is a high possibility that the pool would be completely ruined, and I would be

out a lot of money. I have an email that was to me from the pool company stating this fact. It will be in the paperwork along with this letter here.

Thank You

A handwritten signature in black ink, appearing to read 'Shawn Pitts', written in a cursive style.

Shawn Pitts



Shawn Pitts <shawn@tricitylandscapes.com>

Fiberglass pool

1 message

johndurick <jvdurick@yahoo.com>

Sat, Jan 18, 2020 at 2:29 PM

To: shawn@tricitylandscapes.com

Fiberglass pools are not to be drained once installed. Chances are pool will crack if drained and removed. I have tried this before and result was pool was totally ruined. I have been in business for 14 years.

Thanks

John Durick

386-775-7914 office

386-717-6650 cell

<http://www.poolsforless.biz>

Welcome to Pools For Less

Fiberglass pools are durable, long lasting, and low maintenance.

That is why our pools come with a lifetime stru...

SUMTER COUNTY PLANNING AND ZONING SPECIAL MASTER
March 2, 2020

CASE NO. V2020-0001

LANDOWNER: Shawn Pitts

REQUESTED ACTION: Variance to reduce the roadway setback required from the CR 454 right-of-way from 25-ft to 13.7-ft (55-ft from center line to 25-ft) to allow an in-ground swimming pool.

EXISTING ZONING: R4C

FUTURE LAND USE: Rural Residential

EXISTING USE: Residence

PARCEL SIZE: 0.5 acres MOL

GENERAL LOCATION: Lake Panasoffkee

PARCEL NUMBER: F32C09

LEGAL DESCRIPTION: LOTS 3 & 4 BLK 20 TRACY'S POINT
ORG PLAT BOOK 2 PAGE 26 1/2

SURROUNDING LAND USE: **SURROUNDING ZONING:**

NORTH: Rural Residential **NORTH:** R4C - Residence

SOUTH: Rural Residential **SOUTH:** R2C – Residence

EAST: Rural Residential **EAST:** R4C - Vacant

WEST: Rural Residential **WEST:** R4C - Vacant

CASE SUMMARY:

The subject property is a double lot with road frontages in the front and rear (Map). It is developed with a house on the eastern side of the property oriented towards CR 455. The applicant applied for a building permit for an in-ground swimming pool on November 4, 2020. The new pool was to be located between the house and CR 454 (Seminole Dr), 30-foot from the CR 454 right-of-way where a second driveway previously existed. The applicant started construction before the permit was approved. The pool shell was installed 13.72-foot from the CR 454 right-of-way (Attachment). Sumter County Code Compliance received a complaint of unpermitted construction on December 2, 2019. The

applicant ceased construction activity and provided additional information for the building permit. The building permit has not been issued and is being held pending the outcome of this variance request.

A survey provided by the landowner shows the swimming pool being 13.72 feet from the road right-of-way and approximately 25-foot from the center line of CR 454. CR 454 is a very narrow, minor local road. It dead-ends less than five hundred feet from the subject property. The right-of-way is 30-foot wide and the pavement runs along the north edge of the right-of-way.

Land Development Code Table 13-440A, *Building Setbacks from Roads*, requires a 25-foot setback from the right-of-way of a minor local road or 55-foot setback from the centerline of the local minor road. Section 13-440(b)(1) requires the greater of the two setbacks be required:

13-440(b)(1) Setbacks. The distances in Table 13-440A shall be the minimum setback for all above or below ground structures, including accessory structures, unless otherwise specifically provided in section 13-610. The setback providing the greatest distance from the road centerline shall be used.

CASE ANALYSIS:

The Planning and Zoning Special Master (PZSM) must make all of the following findings to grant the variance [Section 13-237(c)(1) Land Development Code]. Staff's analysis of each of the findings required for the issuance of a variance by the PZSM is provided in italic type following each finding:

Due to conditions beyond the control of the applicant, strict or literal enforcement of the Land Development Code results in practical difficulties or unnecessary or undue hardships;

The subject property has ample space for a swimming pool on the west side of the parcel. The applicant has chosen to install the swimming pool in a location that does not meet the LDC setback requirements. The applicant has cited the economic hardship of having to relocate the swimming pool and replacing the pool shell which is not designed to be relocated. The fact that the applicant had the pool shell installed prior to permitting is a condition created by the applicant and was within his control.

Hardship is unique and not shared by other properties;

The hardship may be unique but is not related to the shape or size of the parcel. The half-acre parcel is of similar size, or larger, than others in the neighborhood.

Hardship is related to the land, building or structure and not personal circumstances;

The hardship is economic and not related to the land, building or existing structure.

Hardship not the result of the applicant's own actions;

The need for the variance is a result of the applicant's actions. The applicant started construction of the pool without building permits. Building permit review would have revealed that there is not adequate space for the pool in the desired location.

Variance is the minimum variance needed for reasonable use of the land, building or structure;

The variance is not the minimum because there is adequate space on the property to install a swimming pool while meeting setback requirements.

Variance will not be detrimental to the public welfare;

The variance will not be detrimental to the public welfare. While the pool is very close to the edge of the pavement, it does not encroach upon the public right-of-way. The roadway is a very narrow, low speed residential street.

Variance will not result in the extension of a non-conforming situation nor authorize the non-conforming use of land;

The variance will not result in a non-conforming situation or authorize a non-conforming use of land.

Variance will not permit a use prohibited by the Land Development Code;

This variance does not permit a use prohibited by the Land Development Code.

Surrounding non-conforming lands, buildings or structures can not be considered in the approval of the variance.

No nonconforming use of neighboring lands, structures, or buildings in the same land use zone, and no permitted use of lands, structures and buildings in other land use zones have been considered grounds for the authorization of the variance.

DEVELOPMENT SERVICES DIVISION STAFF CONCLUSIONS:

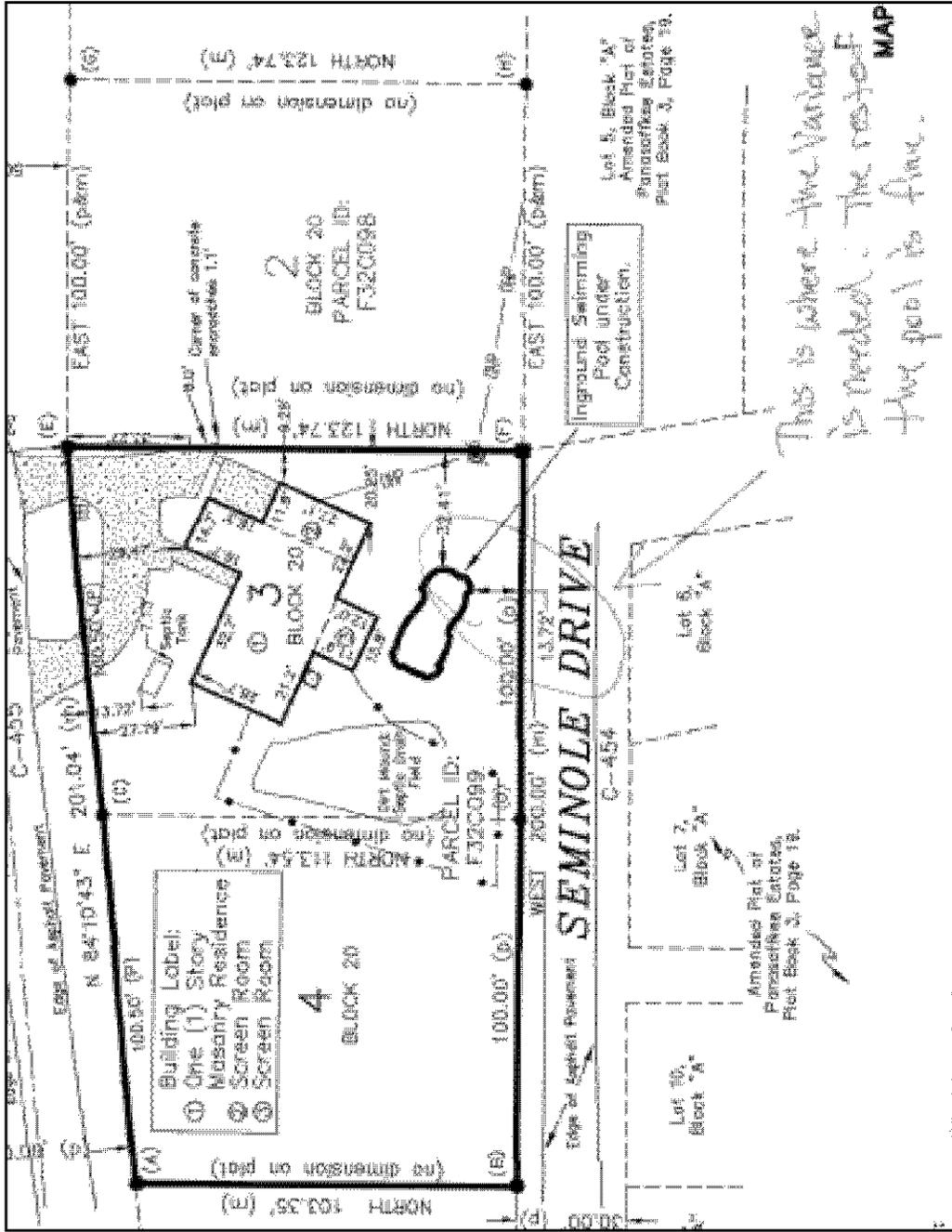
Staff deems the application sufficient and not in compliance with the minimum requirements of the Sumter County Land Development Code and Comprehensive Plan and recommends denial.

Notices Sent: 49 (In objection) 2 (In favor) 2

**Map
V2020-0001**

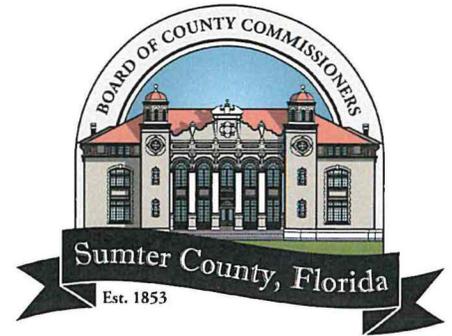


Attachment Site Plan



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>



February 7, 2020

ROUGHT KENNETH W & DIANE E
897 CR 454
LAKE PANASOFFKEE, FL 33538

RECEIVED
FEB 13 2020
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 **Shawn Pitts** (see map on reverse). The property is being considered at a public hearing for a variance.

CASE# V2020-00001 - Pitts - Variance to reduce the roadway setback required from CR 454 from 25-ft to 13.7-ft to allow an in ground swimming pool.

A **public hearing** before the Planning and Zoning Special Master will be held at **Everglades Recreation Center, 5497 Marsh Bend Trl, The Villages, Florida** on **March 2, 2020, at 6:00 p.m.**

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Questions should be directed to Sue Farnsworth at the Planning Division at (352)689-4400, ext.

I support the above.

I have no comment on the above.

I do not support the above for the following reason(s): *We were told several times he had a permit. We knew this pool would not pass. But he dug his hole brought in rocks & lowered his pool. I called & was told you were aware of pool but no permit issued. This pool is in my front yard. I open my door it's there and if we backout & make a mistake, we are in his pool. This is why you get permits first, not after the fact. He did not have a*

Please return no later than **February 25, 2020**

RE: CASE# **V2020-0001**

Al Butler, Dist 1
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Wildwood, FL 34785

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Chairman
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Chairman
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Vice Chairman
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County Administrator
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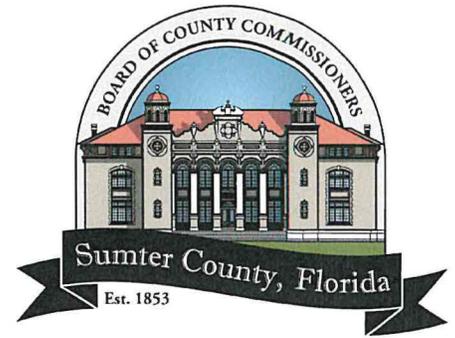
Gloria R. Hayward, Clerk & Auditor
(352) 569-6600
215 East McCollum Avenue
Bushnell, FL 33513

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

licensed pool company. Plus Karen's law passed how could he be aware of this

Board of County Commissioners Sumter County, Florida

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Website: <http://sumtercountyfl.gov>



February 7, 2020

DIXON ROBERT WILEY & KATHERINE
PO BOX 98
EARLETON, FL 32631

RECEIVED
FEB 19 2020
Sumter County
Development Services

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I support the above. *Wiley & Kathy Dixon 2-12-2020*

I have no comment on the above.

I do not support the above for the following reason(s): _____

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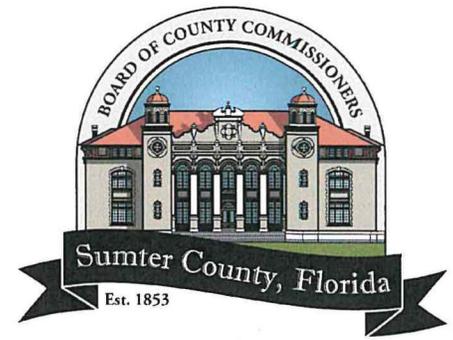
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February 7, 2020

SMITH GARY JAMES & RACHEL SCHN
12939 179TH CT N
JUPITER, FL 33478

RECEIVED

FEB 19 2020

Sumter County
Development Services

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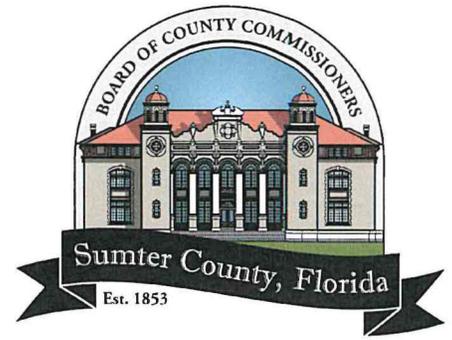
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February 7, 2020

RUSSELL ANNIE (LE)
752 CR 457
LAKE PANASOFFKEE, FL 33538

RECEIVED
FEB 19 2020
Sumter County
Development Services

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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): _____

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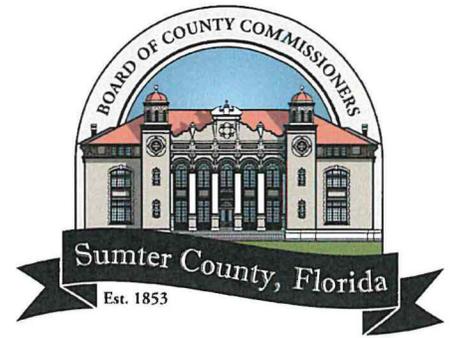
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February 7, 2020

WOODARD JOSEPH PAUL & SANDRA D
PO BOX 445
LAKE PANASOFFKEE, FL 33538

RECEIVED

FEB 21 2020

Sumter County
Development Services

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FEB 21 2020

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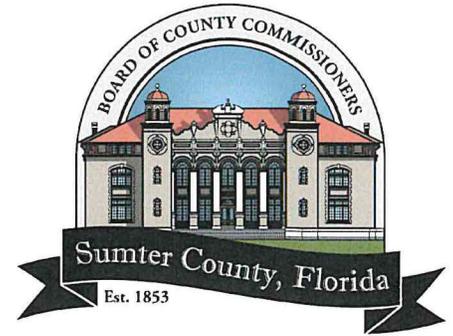
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February 7, 2020

NORTHRUP SUSANNE V
PO BOX 123
LAKE PANASOFFKEE, FL 33538

RECEIVED

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Just wish he'd done it the right way!

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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 # SS2020-0003

ZSM 3/2/2020 @ 6 pm

Date Rec'd: 1/30/2020

Planner: Sue F

BOCC 3/24/2020 @ 5:30

Everglades Rec Center - Both meetings -

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): Louise and Larry Maier

Address: 732 S US Hwy 301, Sumterville, FL 33585

Owner Phone: 352-793-2548 Email: sparkmansfruit@yahoo.com

Name of Agent: NA

Address: _____

Agent Phone: _____ Email: _____

Property Information:

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

BLK 30 SUMTERVILLE PB 1 PG 20 AND THAT PORTION OF WALNUT STREET LYING

EAST OF AND ADJ TO BLOCK 30 AND WEST OF HWY 301 SUMTERVILLE

Street Address: _____

Parcels # J13B060 Current Use: business

Current Future Land Use: RR Current Zoning: RR1

Requested Future Land Use Com Requested Zoning: CH

Acreage requested: 0.96 ac MOL

Reason for the request:

Existing Commercial property

Please Provide:

- ~~NA~~ Deed or other proof of ownership
- ~~NA~~ Signed authorization if applicant is not the land owner
- ~~NA~~ 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.

Louise Maier 01-30-20
Signature Date

Louise Maier
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.

SMALL SCALE FUTURE LAND USE AMENDMENT

SUMTER COUNTY PLANNING AND ZONING SPECIAL MASTER

March 2, 2020

SUMTER COUNTY BOARD OF COUNTY COMMISSIONERS

March 24, 2020

CASE NUMBER: SS2020-0003

LANDOWNER: Louise and Larry Maier

REQUEST: Change the Future Land Use Designation on 0.96 acres MOL from Rural Residential to Commercial consistent with the provisions of the City of Bushnell Joint Planning Area Agreement.

PARCEL NUMBER: J13B060

LOCATION: Sumterville area – Southwest corner of S US Hwy 301 and CR 518..

LEGAL DESCRIPTION: BLK 30 SUMTERVILLE PB 1 PG 20 AND THAT PORTION OF WALNUT STREET LYING EAST OF AND ADJ TO BLOCK 30 AND WEST OF HWY 301 SUMTERVILLE.

GENERAL DESCRIPTION AND BACKGROUND

The subject property is located on the west side of US Hwy 301, south of C-470 in Sumterville (Map 1). It is located within the City of Bushnell-Sumter County Joint Planning Area (JPA) where it is designated for commercial use. The property is developed with a business (Sparkman’s Fruit Shop) and a house. The Sumter County Property Appraisers’ office records indicate the commercial building was constructed in the 1950’s. The applicant is requesting a Comprehensive Plan Amendment from Rural Residential to Commercial (Map 2).

SURROUNDING LAND USE AND ZONING

The property is located within the Sumterville commercial strip and is developed commercially. The surrounding area is a mixture of residential and commercial uses. Adjacent properties are designated Rural Residential (south, west, and east) and Commercial (north) on the Unified Comprehensive Plan Future Land Use Map. The Bushnell JPA map identifies the property as Commercial. Surrounding properties are a mixture of rural residential designations (RR1 – north and west) and commercial designations (CH – east and CN- south). The area is commercial and residential in nature.

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 commercially developed 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 not significantly impact the availability of housing.

CONCURRENCY ANALYSIS

Potable Water & Sewer

The project area is served by the City of Bushnell's utilities. The City of Bushnell may require connection if the site is redeveloped. 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

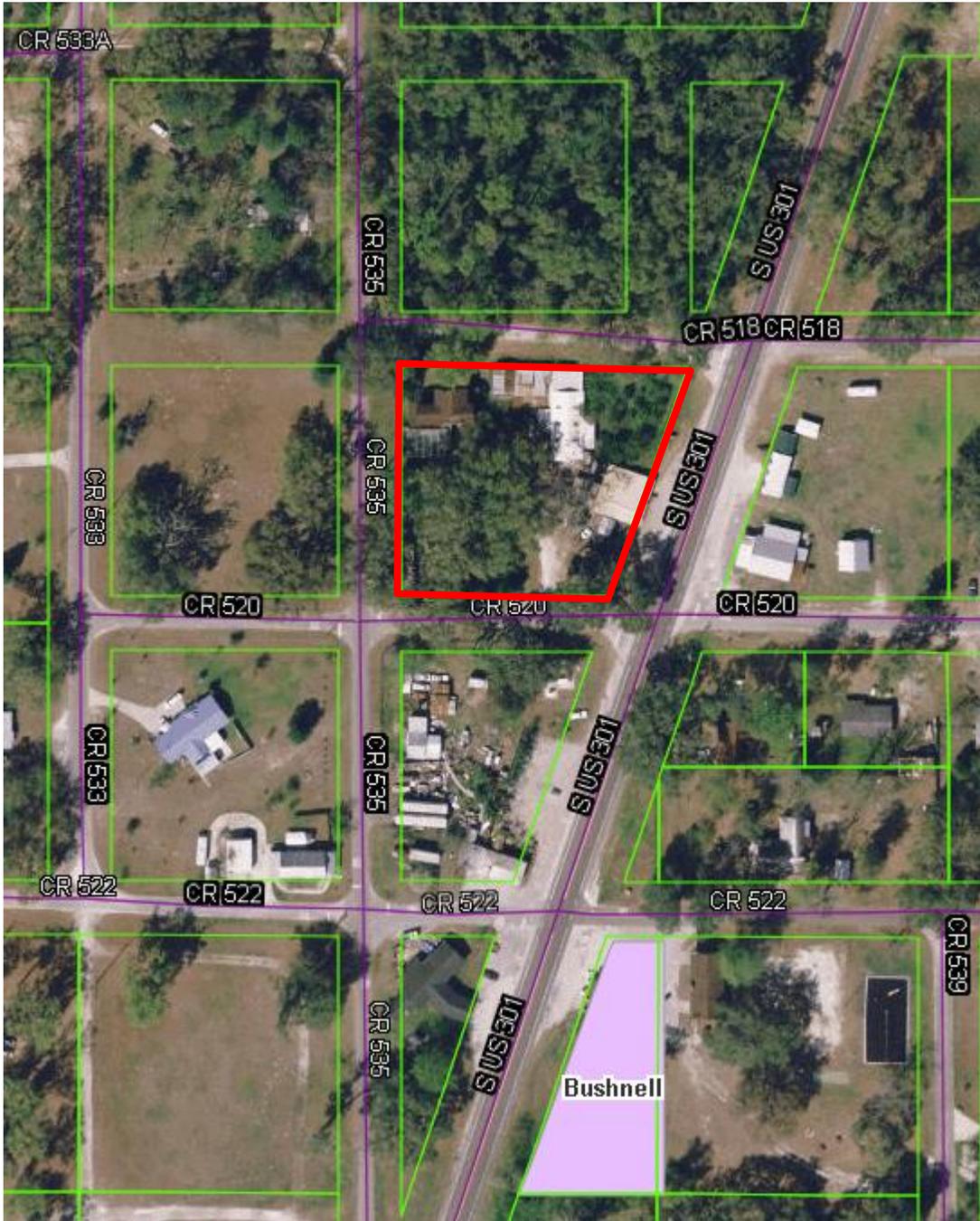
This proposed amendment does not affect the Capital Improvements program as outlined in the Sumter County Comprehensive Plan.

CONCLUSIONS

The proposed amendment is consistent with the applicable policies of the Sumter County Comprehensive Plan and the City of Wildwood/Sumter County Joint Planning Area Agreement Map. Staff recommends approval.

Notices Sent: 42 (Support/No Objection) 1 (Objection) 0

Map 1
General Location of SS2020-0003



Map 2
Future Land Use Map
SS2020-0003



Existing Future Land Use Designations



Proposed Future Land Use Designations

-  Commercial
-  Rural Residential

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 0.55 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 commercial corridor 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 near 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.**

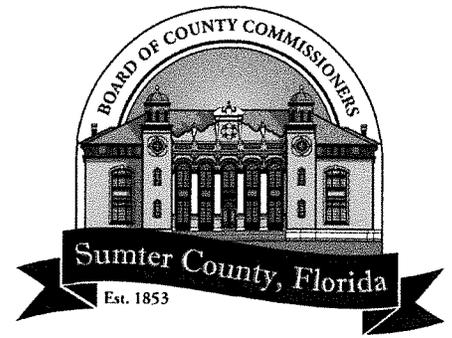
- XI. Results in poor accessibility among linked or related land uses. **The proposed land use amendment will not affect the accessibility of adjacent lands.**
- XII. Results in the loss of significant amounts of functional open space. **The subject property does not impact functional open space.**

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.**

Board of County Commissioners Sumter County, Florida

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Website: <http://sumtercountyfl.gov>



February 11, 2020

JACKSON WILLIAM H & MARY RUTH
PO BOX 42
SUMTERVILLE, FL 33585

To property owners whose property boundaries are within a distance of 500 feet of the outside perimeter of a property in the name of **Louise and Larry Maier** (see map on reverse). The property is being considered at a public hearing for a small scale land use change and rezoning.

CASE# **SS2020-0003** Maier – Change the land use assignment on .96 acres from Rural Residential to Commercial.

CASE# **R2020-0003** - Maier – Rezone 12.9 acres MOL from RR1 (Residential) and R2C (Residential) to CH (Heavy Commercial).

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** on **March 2, 2020, at 6:00 p.m.**

The recommendations of the Planning and Zoning Special Master will be presented to the Board of Sumter County Commissioners at a Public Hearing to be held on **March 24, 2020, at 5:30 P.M., The Everglades Recreation Center, Grand Canyon Room, 5497 Marsh Bend Trail, The Villages, FL.**

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):

Bill Jackson
Mary Ruth Jackson

Please return no later than **February 25, 2020**

RE: CASE# **SS2020-0003 and R2020-0003**

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

Don Burgess, Dist 3
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Garry Breeden, Dist 4
Vice Chairman
(352) 689-4400
7375 Powell Road
Wildwood, FL 34785

Bradley S. Arnold,
County Administrator
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7375 Powell Road
Wildwood, FL 34785

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

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

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 # R2020-0003

ZSM 3/2/2020 @ 6 pm

Date Rec'd: 1/30/2020

Planner: SWR

BOCC 3/24/2020 @ 5:30

Everglades Rec Center

LAND USE AMENDMENT AND/OR REZONING APPLICATION

X Rezoning

 Land Use Amendment (<10 acres)

 Land Use Amendment (10 acres or more)

Applicant Information:

Name of Property Owner(s): Louise and Larry Maier

Address: 732 S US Hwy 301, Sumterville, FL 33585

Owner Phone: 352-793-2548

Email: sparkmansfruit@yahoo.com

Name of Agent: NA

Address: _____

Agent Phone: _____

Email: _____

Property Information:

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

Blocks 66, 67, 7, 12, 25 and 30 of Sumterville PB1, PG20 and

those portions of Blocks 13, 6, and 24 lying west of US Hwy 301 Sumterville PB1, PG 20.

Street Address: _____

Parcels # J13B138, J13B140, J13B142, J13B007, J13B006, J13B016, J13B020, J13B048, J _____

Current Use: business & vacant

Current Future Land Use: RR&Com

Current Zoning: RR1&R2C

Requested Future Land Use NA Requested Zoning: CH

Acreage requested: 12.9 ac MOL

Reason for the request:

Existing Commercial property and vacant land consistent with FLU map

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)

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.

Louise Maier
Signature

01-30-20
Date

Louise Maier
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
March 2, 2020**

**BOARD OF COUNTY COMMISSIONERS
March 24, 2020**

CASE NO.: R2020-0003

LAND OWNER: Louise and Larry Maier

REQUESTED ACTION: Rezone 12.9 acres MOL from RR1 and R2C (Residential) to CH (Heavy Commercial).

PARCEL NUMBER: J13B006, J13B007, J13B016, J13B020, J13B138, J13B140, J13B142, J13B048, J13B050 & J13B060

LEGAL DESCRIPTION: Blocks 66, 67, 7, 12, 25 and 30 of Sumterville PB1, PG20 and those portions of Blocks 13, 6, and 24 lying west of US Hwy 301 Sumterville PB1, PG 20.

.

EXISTING ZONING: RR1 & R2C

EXISTING USE: Mostly vacant with house and business on one parcel

FUTURE LAND USE: Commercial and Rural Residential

PARCEL SIZE: 12.9 acres MOL

LOCATION: Sumterville area, Southwest corner of C-470 and US 301 (Map 1).

SURROUNDING LAND USE AND ZONING

The application site is located in the Sumterville commercial corridor. Surrounding properties are mostly developed and include a mixture of commercial and residential uses. The subject property consists of several parcels. Most are vacant. One is fully developed with a business and owner's residence. The application area is surrounded by commercial

zoning (CH and CL on the north and east), and residential zoning (RR1 – west and south) (Map 2).

The CH zoning district provides for harmonious retail and wholesale sales and services necessary to meet the general needs of a community, in which the principal activities are conducted both inside and outside of an enclosed structure. Uses in this zoning district typically require outdoor storage or activities, have higher trip generation rates, or have the potential for greater nuisance effect on adjacent properties due to noise, light and glare, or typical hours of operation, than neighborhood and light commercial uses.

CASE SUMMARY

This property was assigned a residential zoning to recognize a historic platted subdivision. The Hwy 301 corridor has since developed commercially. Bushnell's extension of commercial water service to the area has triggered a number of residential to commercial conversions as the corridor converts to commercial and industrial uses. The landowner is requesting rezoning to allow the property to be developed consistent with its Commercial Future Land Use assignment. This application is concurrent with small scale land use amendment SS2020-0003.

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 allow of commercial infill and redevelopment.

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 since the owner acquired the property. The Sumterville commercial district has grown and now surrounds the property on three sides. Rezoning the property will allow for redevelopment consistent with the surrounding area.
- b) Community need, or lack of community need.
The US 301 corridor is urbanizing. This rezoning will allow commercial infill and redevelopment consistent with the changing community needs.
- c) Benefits to the community.
The rezoning will benefit the community by allowing commercial develop at a major intersection in a developing commercial corridor.
- 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: 42 (Support/no comment) 1 (Oppose) 0

Map 1
General Location of R2020-0003

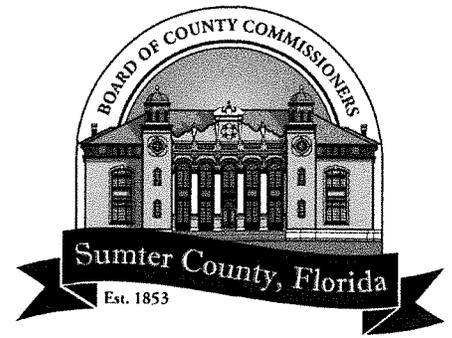


Map 2
Surrounding Area with Zoning Designations
R2020-0003



Board of County Commissioners Sumter County, Florida

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Website: <http://sumtercountyfl.gov>



February 11, 2020

JACKSON WILLIAM H & MARY RUTH
PO BOX 42
SUMTERVILLE, FL 33585

To property owners whose property boundaries are within a distance of 500 feet of the outside perimeter of a property in the name of **Louise and Larry Maier** (see map on reverse). The property is being considered at a public hearing for a small scale land use change and rezoning.

CASE# **SS2020-0003** Maier – Change the land use assignment on .96 acres from Rural Residential to Commercial.

CASE# **R2020-0003** - Maier – Rezone 12.9 acres MOL from RR1 (Residential) and R2C (Residential) to CH (Heavy Commercial).

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** on **March 2, 2020, at 6:00 p.m.**

The recommendations of the Planning and Zoning Special Master will be presented to the Board of Sumter County Commissioners at a Public Hearing to be held on **March 24, 2020, at 5:30 P.M., The Everglades Recreation Center, Grand Canyon Room, 5497 Marsh Bend Trail, The Villages, FL.**

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):

Bill Jackson
Mary Ruth Jackson

Please return no later than **February 25, 2020**

RE: CASE# **SS2020-0003 and R2020-0003**

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
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Doug Gilpin, Dist 2
(352) 689-4400
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Development Services Department

Planning Services Division

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Website: <http://sumtercountyfl.gov>

Project # R2020-0004

ZSM 3-2-2020 @ 6 pm

Date Rec'd: 2-6-2020

Planner: Sue Farnsworth

BOCC 3-24-2020 @ 6 pm

Everglades Recreation Ctr,

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): Yvonne M. Thomas

Address: 113 Jasper St, Bushnell, FL 33513

Owner Phone: 352-461-6446 Email: Assistantpastor13@gmail.com

Name of Agent: _____

Address: _____

Agent Phone: _____ Email: _____

Property Information:

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

the S 120 ft of the West 210 ft of the SW 1/4 of the NW 1/4 of the SW 1/4 of Sec 15, Twp 21S, Rng 22 E.

Street Address: 22 C-476A, Bushnell, FL

Parcels # N15-045 Current Use: vacant

Current Future Land Use: UR Current Zoning: R4C

Requested Future Land Use NA Requested Zoning: R4M

Acreage requested: .55 ac MOL

Reason for the request:

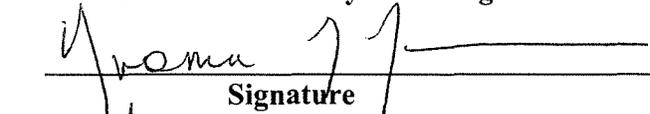
Allow development with a mobile home

Please Provide:

- ~~NA~~ Deed or other proof of ownership
- ~~NA~~ Signed authorization if applicant is not the land owner
- ~~NA~~ 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.

 02-06-220
Signature Date
YVONNE M. THOMAS
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
March 2, 2020**

**BOARD OF COUNTY COMMISSIONERS
March 24, 2020**

CASE NO.: R2020-0004

LAND OWNER: Yvonne Thomas

REQUESTED ACTION: Rezone 0.55 acres MOL from R4C (Residential – conventional housing) to R4M (Residential – allowing for mobile homes).

PARCEL NUMBER: N15-045

LEGAL DESCRIPTION: THE S 120 FT OF W 210 FT OF SW 1/4 OF NW 1/4 OF SW ¼ OF SEC 15, TWP 21S, RNG 22E.

EXISTING ZONING: R4C

EXISTING USE: Vacant

FUTURE LAND USE: Urban Residential

PARCEL SIZE: .55 acres MOL

LOCATION: Bushnell area-NW corner of C-476A and SE 1st Dr. (Map 1).

SURROUNDING LAND USE AND ZONING

The application site is in suburban area a mixture of site-built homes, mobile homes and vacant residential lots. There is a wide range of lot sizes, age of houses, and types of construction. It is immediately adjacent to the City of Bushnell which has a similar development pattern. Adjacent properties are zoned Suburban Residential (R4C – north, R6M – east, and R4C -south). Corresponding City zoning designations are R-1 and R-2. The Sumter County Public Works Complex is located to the west (Map 2).

The R4M zoning district provides for a single-family residential atmosphere where families may reside in one mobile dwelling unit per parcel or one conventional dwelling per parcel (LDC 13-422(a)(1)). Changing the zoning from R4C to R4M will allow for Class B mobile homes as a housing option. Class B mobile homes are more than five years old at the time of permitting and may be less than 20-foot wide.

CASE SUMMARY

The landowner is requesting this rezoning to allow for the placement of a Class B mobile home on the property. She has the opportunity to obtain an affordable mobile home but it does not meet the requirements of the current zoning designation. This rezoning request will allow the new owner to obtain building permits for the housing type of her choice.

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.
This is an existing lot of record. Physical conditions of the property have not changed.
- b) Community need, or lack of community need.
The rezoning will meet an individual property owner need rather than a community need.
- c) Benefits to the community.
The rezoning will allow a landowner to install a Class B mobile home on an existing residential lot.
- d) The rights of private property owners.
The rezoning will not impinge on the rights of adjacent property owners.

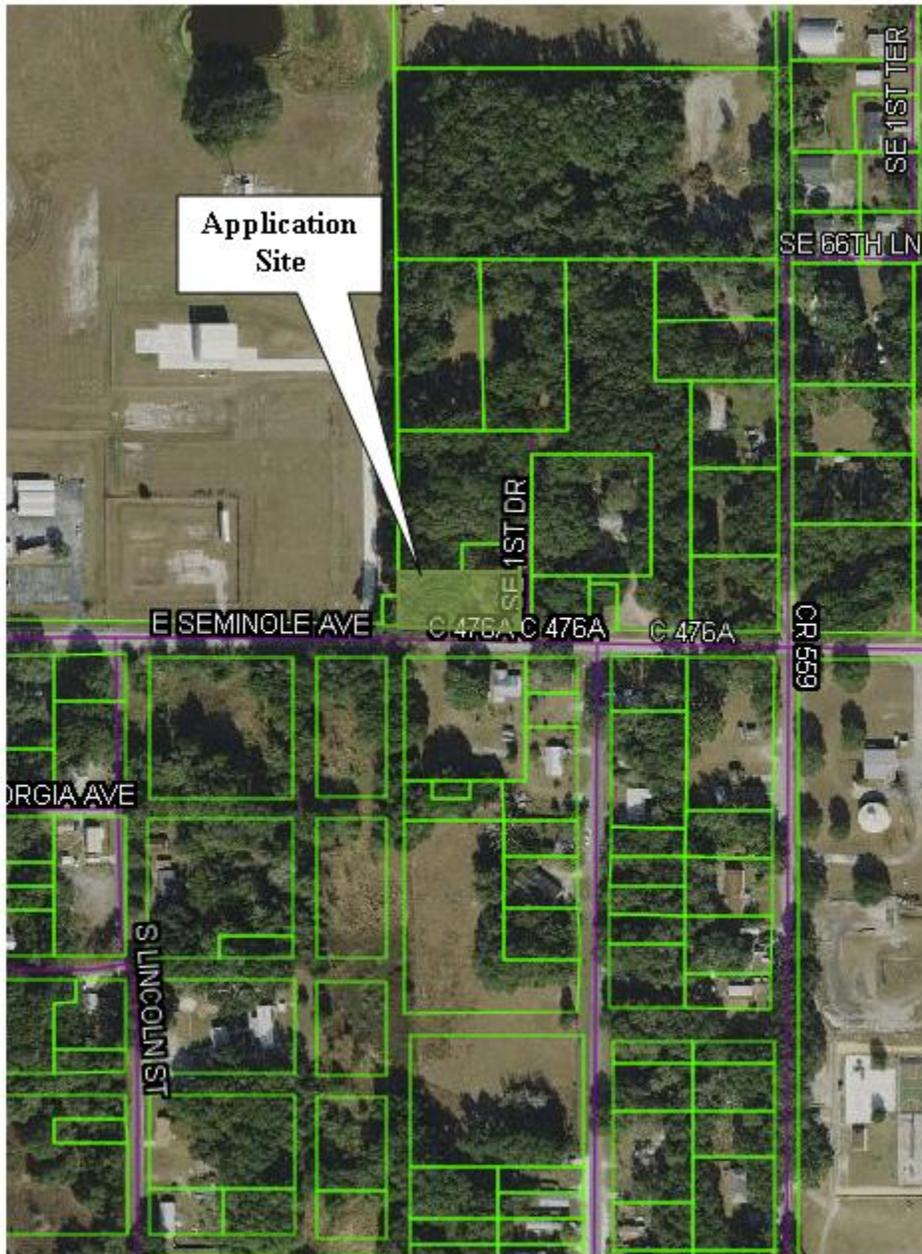
DEVELOPMENT SERVICES DEPARTMENT STAFF CONCLUSIONS

Proof of ownership is on file.

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.

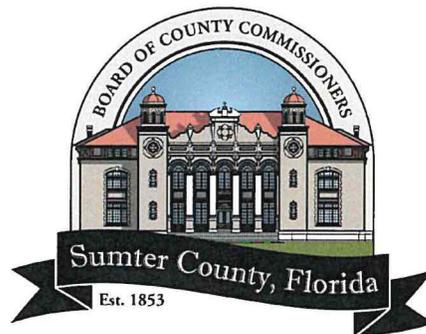
Notices Sent: 35 (Support/no comment) 1 (Oppose) 0

Map 1
General Location of R2020-0004



Board of County Commissioners Sumter County, Florida

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February 11, 2020

POWERHOUSE OF JESUS INC
PO BOX 693
BUSHNELL, FL 33513

RECEIVED
FEB 24 2020
BY: _____

To property owners whose property boundaries are within a distance of 500 feet of the outside perimeter of a property in the name of **Yvonne Thomas** (see map on reverse). The property is being considered at a public hearing for Rezoning.

CASE# R2020-0004 - Thomas – Rezone 0.55 acres MOL from R4C (Residential – conventional housing) to R4M (Residential – allowing for mobile homes).

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 on March 2, 2020, at 6:00 p.m.**

The recommendations of the Planning and Zoning Special Master will be presented to the Board of Sumter County Commissioners at a Public Hearing to be held on **March 24, 2020, at 5:30 P.M.**, **The Everglades Recreation Center, Grand Canyon Room, 5497 Marsh Bend Trail, The Villages, FL.**

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): _____

Please return no later than **February 25, 2020**

RE: CASE# **R2020-0004**

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

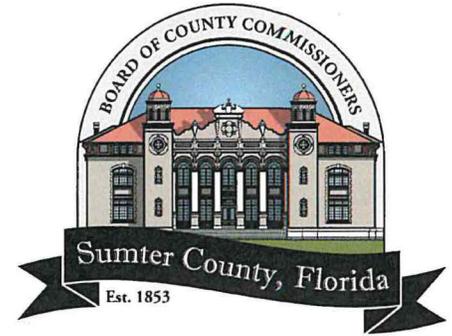
Bradley S. Arnold,
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Website: <http://sumtercountyfl.gov>



February 11, 2020

UNITED CHURCH OF GOD IN CHRIST
PO BOX 906
BUSHNELL, FL 33513

RECEIVED

FEB 25 2020

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 **Yvonne Thomas** (see map on reverse). The property is being considered at a public hearing for Rezoning.

CASE# **R2020-0004** - Thomas – Rezone 0.55 acres MOL from R4C (Residential – conventional housing) to R4M (Residential – allowing for mobile homes).

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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): _____

Please return no later than **February 25, 2020**

RE: CASE# **R2020-0004**

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

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7375 Powell Road
Wildwood, FL 34785

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7375 Powell Road
Wildwood, FL 34785

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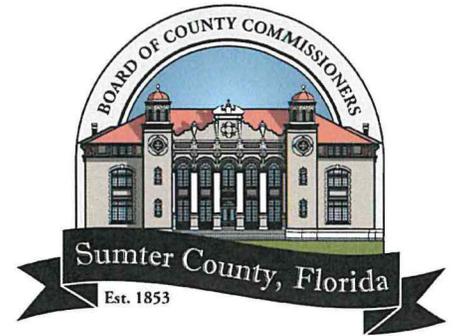
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County Attorney
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Post Office Box 485
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Board of County Commissioners Sumter County, Florida

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Website: <http://sumtercountyfl.gov>



February 11, 2020

COBB SHIRLEAN ETAL
PO BOX 73
BUSHNELL, FL 33513

RECEIVED

FEB 21 2020

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 **Yvonne Thomas** (see map on reverse). The property is being considered at a public hearing for Rezoning.

CASE# **R2020-0004** - Thomas – Rezone 0.55 acres MOL from R4C (Residential – conventional housing) to R4M (Residential – allowing for mobile homes).

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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): _____

Please return no later than **February 25, 2020**

RE: CASE# **R2020-0004**

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

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Wildwood, FL 34785

Steve Printz, Dist 5
Chairman
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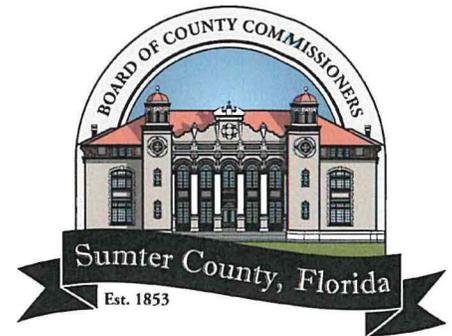
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Board of County Commissioners Sumter County, Florida

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Website: <http://sumtercountyfl.gov>



RECEIVED

FEB 21 2020

Sumter County
Development Services

February 11, 2020

CHURCH OF GOD
303 S CHURCH ST
BUSHNELL, FL 33513

To property owners whose property boundaries are within a distance of 500 feet of the outside perimeter of a property in the name of **Yvonne Thomas** (see map on reverse). The property is being considered at a public hearing for Rezoning.

CASE# **R2020-0004** - **Thomas – Rezone 0.55 acres MOL from R4C (Residential – conventional housing) to R4M (Residential – allowing for mobile homes).**

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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): _____

Please return no later than **February 25, 2020**

RE: CASE# **R2020-0004**

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

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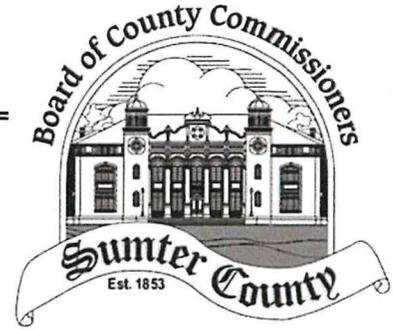
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Website: <http://sumtercountyfl.gov>



Project # B2020-0005
Date Rec'd: Feb. 7, 2020
Planner: Patricia Burgos

ZAB March 2, 2020 6:00pm
BOCC March 24, 2020 5:30pm

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): William and Deborah Repass

Address: 140 29th Ct. SW
Vero Beach, FL 32968

Owner Phone: 772-538-1441 Email: repasswm@live.com

Name of Agent: none

Address: _____

Agent Phone: _____ Email: _____

Property Information:

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

See attached deed

Street Address: Highway 462 (no address assigned yet)

Parcels # C26-015 Current Use: A10

Current Future Land Use: _____ Current Zoning: A10C

Requested Future Land Use _____ Requested Zoning: RR5C

Acreage requested: _____

Reason for the request:

Parcel is currently non-conforming since
it is not 10 acres. This request for re-zoning
will make it conforming.

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)

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.

William R. Repass
Signature

2/7/20
Date

William R. Repass
Print Name

A public hearing before the Zoning & Adjustment Board (ZAB) 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. The ZAB's recommendation on this application will be presented to the Board of County Commissioners at a public hearing for final decision. Hearings may be postponed by the ZAB or BOCC at their discretion.

**SUMTER COUNTY
REZONING APPLICATION**

**PLANNING AND ZONING SPECIAL MASTER
March 2, 2020**

**BOARD OF COUNTY COMMISSIONERS
March 24, 2020**

CASE NO.: R2020-0005

LAND OWNER: William and Deborah Repass

REQUESTED ACTION: Rezone 7.37 acres MOL from A10C (Agricultural – ten acres – conventional housing) to RR5C (Rural Residential – five acres – conventional housing).

PARCEL NUMBER: C26-015

LEGAL DESCRIPTION: THE NE 1/4 OF NW 1/4 OF SE 1/4 OF SEC 26, TWP 18S, RNG 22E, LESS THE N 210 FT OF E 210 FT THEREOF AND THE E 130 FT OF SW 1/4 OF NW 1/4 OF SE 1/4 LESS COMM AT SE COR OF NE 1/4 OF NW 1/4 OF SE 1/4 RUN N 89 DEG 48'11 W 58.51 FT TO POB CONT N 89 DEG 48'11 W 606.02 FT N 00 DEG 24'57 E 70 FT S 89 DEG 48'11 E 609.14 FT S 03 DEG 04'03 W 70.09 FT TO POB

EXISTING ZONING: A10C

EXISTING USE: Vacant

FUTURE LAND USE: Agricultural

PARCEL SIZE: 7.37 acres MOL

LOCATION: Wildwood area-South side of C462 E, 1300-ft west of CR 223 (Map 1).

SURROUNDING LAND USE AND ZONING

The application site is in a rural area with a mixture of agricultural and rural residential uses. Adjacent properties are zoned Rural Residential (RR5C – north and east, and RR5 – south and west). A small non-vested lot adjacent to the application site is owned by the same landowner and is not a part of this application (Map 2).

The RR5C zoning district provides for a range of densities, promote a rural residential atmosphere where families, depending on the district, may reside in one (1) conventional or Class A or B mobile home dwelling unit per parcel and grow food and keep livestock for domestic use, and also to provide a buffer between agricultural and higher density residential uses.

CASE SUMMARY

The landowner is requesting this rezoning to bring an undersized lot into zoning conformance. The parcel meets the five-acre minimum lot size requirement of the Agricultural Future Land Use District within the Urban Development Area. An RR5C zoning assignment will allow the landowner to obtain building permits for a house on this property.

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.
This is an existing lot of record. Physical conditions of the property have not changed.
- b) Community need, or lack of community need.
The rezoning will meet an individual property owner need rather than a community need.
- c) Benefits to the community.
The rezoning will benefit the landowner by allowing them to obtain building permits on the property.
- d) The rights of private property owners.
The rezoning will not impinge on the rights of adjacent property owners.

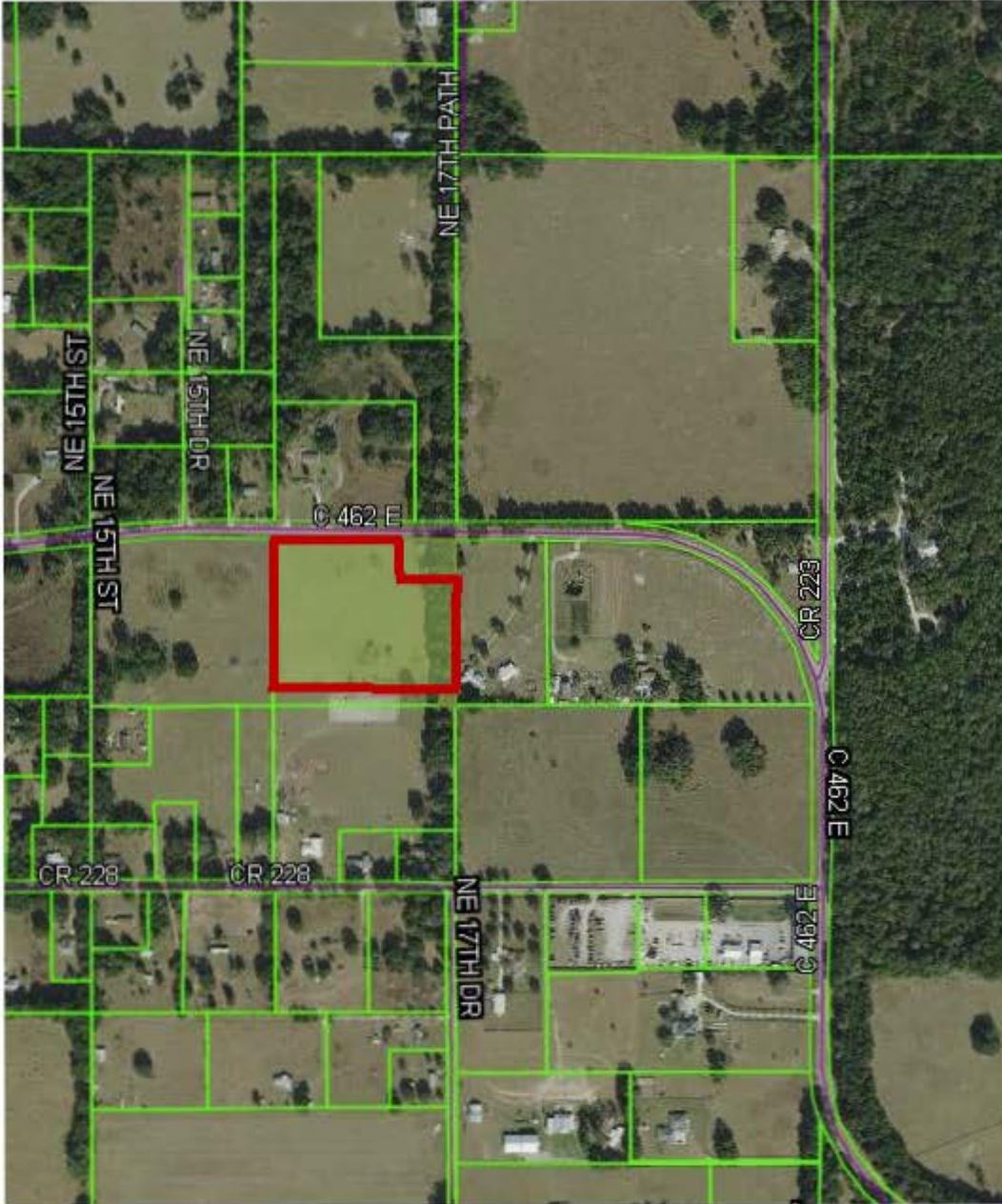
DEVELOPMENT SERVICES DEPARTMENT STAFF CONCLUSIONS

Proof of ownership is on file.

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

Map 1
General Location of R2020-0005



Map 2
Surrounding Area with Zoning Designations
R2020-0005

