V2019-0002 Elsie Velez
Requested Action: Variance to reduce the side setback to 2-ft and the roadway setback to 3-ft from the property line to allow installation of a carport.
General Location: Bushnell

SS2019-0004 Wayne Cassity and Lisa Friedrich
Requested Action: Recommendation to the BOCC on small scale land use amendment changing 2.4 acres MOL from Commercial to Urban Residential.
General Location: Lake Panasoffkee

R2019-0006 Cassity and Friedrich
Requested Action: Recommendation to the BOCC on rezoning of 2.4 acres MOL from CL to R4C in conjunction with SS2019-0004.
General Location: Lake Panasoffkee

Documents:
V2019-0002-Velez AT.pdf
SS2019-0004-Packet-Cassity-AT.pdf
R2019-0006-Packet-Cassity-AT2.pdf
**SUMTER COUNTY ZONING AND ADJUSTMENT BOARD**  
**March 18, 2019**

**CASE NO.**
V2019-0002

**LANDOWNER:**
Elsie Velez

**REQUESTED ACTION:**
Variance to reduce the side setback to 2-ft and the roadway setback to 3-ft from the property line to allow installation of a carport.

**EXISTING ZONING:**
R6M

**FUTURE LAND USE:**
Rural Residential

**EXISTING USE:**
Mobile Home

**PARCEL SIZE:**
12,500 sq. ft.

**GENERAL LOCATION:**
Bushnell

**PARCEL NUMBER:**
N09A055

**LEGAL DESCRIPTION:**
LOT 16 & 17 BLK 5 SUMTER GARDENS & BUSHNELL PARK 2 PLAT 70 PB 2 PG 63

**SURROUNDING LAND USE:**
- **NORTH:** Rural Residential  
- **SOUTH:** Rural Residential  
- **EAST:** Rural Residential  
- **WEST:** Rural Residential

**SURROUNDING ZONING:**
- **NORTH:** R6M – Residence  
- **SOUTH:** R6M – Residence  
- **EAST:** R6M – Residence  
- **WEST:** R6M - Residence

**CASE SUMMARY:**

The subject property is located on the north side of SW 59th Rd (Map). The parcel is a developed residential lot in Sumter Gardens/Bushnell Park. The house does not have a garage or carport.

The owner would like to install a canopy type carport in the east side of her front yard (attachment). Side yards do not have adequate space for the canopy. The front yard is thirty feet deep and includes the septic system. The only available locations for a carport are at the edges of the front yard. These locations will require relief from the front (roadway) and side setback requirements. This application requests the front setback requirement be reduced from 25-ft to three-ft. and reduce the side setback requirement from ten-ft. to two-ft.
CASE ANALYSIS:

The Zoning & Adjustment Board (ZAB) 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 ZAB 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 house location is beyond the control of the applicant. Due to the configuration of the property, strict enforcement of the LDC would severely limit development of the property and create an undue hardship.*

Hardship is unique and not shared by other properties;

*The lot was developed with a shallow front yard. Other properties in the area have homes set further back on the property or have carport as part of the original construction. Her situation is unique and not shared by other properties within the area.*

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

*The hardship is specific to the land and not personal circumstances.*

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

*The property was developed prior to the applicant’s ownership. The hardship is not a result of her actions.*

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

*The variance is the minimum required to allow placement of a carport on the property.*

Variance will not be detrimental to the public welfare;

*The variance will not be detrimental to the public welfare. The variance does not encroach into any easements nor negatively impact the potential development of the adjacent property.*

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 as grounds for the authorization of the variance.

DEVELOPMENT SERVICES DEPARTMENT STAFF CONCLUSIONS:

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

1. The canopy/carport shall maintain at least a three-ft setback to the property line along SW 59th Rd and a two-ft setback to the east property line.
2. Additional accessory structures or house expansions that do not meet required LDC setback standards will require a new variance approval.

Notices Sent: 35 (In support/no comment) 0 (Not in support) 0
VARIANCE APPLICATION

Applicant Information:

Name of Property Owner(s): Elsie G. Velez

Address: 224 SW 59th Rd
Bushnell FL 33513

Owner Phone: 352-277-2406 Email: universe3love@yahoo.com

Name of Agent: 

Address: 

Agent Phone: Email: 

Request: (Additional information may be attached)

Reduce front setback for a carport to

What is the Nature of the Hardship:

House is located near front of lot preventing the installation of a carport without relief from roadway setbacks.
Property Information:
Legal Description of the property (lengthy descriptions may be attached)

Sper deed - lots 16 & 17, Blk 5 - Sumter Gardens
Bushnell Park 2, Plat 10 PB 2 PG 63.

Street Address: 224 SW 57th Rd Busheii FL 33513

Parcels # NO9A055       Current Use: ___________________________

Please Provide:

☐ Deed or other proof of ownership
☐ Signed authorization if applicant is not the land owner
☒ Site plan/sketch drawn to scale showing how property will be used (identify areas where the variance is being requested - setbacks, landscaping, etc)
☐ 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]
[Print Name]

2/5/19

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. They may assign conditions of approval to assure compatibility with the neighborhood. Hearings may be postponed by the ZAB at their discretion.

Building permits may be required following approval before business can be conducted.
SMALL SCALE FUTURE LAND USE AMENDMENT

SUMTER COUNTY ZONING AND ADJUSTMENT BOARD
March 18, 2019

BOARD OF COUNTY COMMISSIONERS
March 26, 2019

CASE NUMBER: SS2019-0004

LANDOWNER: Wayne Cassity and Lisa Friedrich

REQUEST: Change the Future Land Use Designation on 2.4 acres MOL from Commercial to Urban Residential

PARCEL NUMBER: F32K041 and F32K047

LOCATION: Between CR 446 and CR 438, north of CR 439 in Lake Panasoffkee (Map 1).

LEGAL DESCRIPTION: LOTS 2, 4, 5, 6, 7, 8 & 9 BLK D THUNDERBIRD TERRACE SHOPPING CENTER PB 3 PG 30

GENERAL DESCRIPTION AND BACKGROUND

The applicant is requesting a Small Scale Comprehensive Plan Amendment from Commercial to Urban Residential to Commercial on 2.4 acres MOL (Map 2). This application is concurrent with Rezoning Application R2019-0006. The property consists of seven platted lots. The applicant wants to develop the lots with single family residences.

SURROUNDING LAND USE AND ZONING

The surrounding properties are designated Commercial (north and west) and Low Density Residential (east and south). There is Urban Residential land within 500-ft northwest of the subject property. The neighborhood is a mixture of residential and commercial uses. The subject property is currently 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 not impact the availability of housing.

**CONCURRENCY ANALYSIS**

**Potable Water & Sewer**  
The project area is served by the Lake Panasoffkee Water Association. 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: 55 (Support/No Objection) 0 (Objection) 0
Map 1
General Location of SS2019-0004
(Subject Site shown in Red)
MAP 2
Existing and Proposed future Land Use
SS2019-0004

Existing Future Land Use Designations

Proposed Future Land Use Designations

- Rural Residential
- Urban Residential
- Commercial
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 163.3177.9a 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 2.4 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. The subject property is served by an existing water utility.

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 is an infill project.

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:

(1) 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.**
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): Wayne M. Cassity & Lisa R. Friedrich

Address: 3030 47th Street North

ST. PETERSBURG 71 33713

Owner Phone: (727) 412-8457 Email: CassitywayneCMS@gmail.com

Name of Agent: __________________________

Address: __________________________________________

__________________________________________________

Agent Phone: __________________________ Email: __________________________

Property Information:

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

see deeds

Current Use: vacant

Street Address: NA

Parcels #: F32K041 & F32K047
Current Future Land Use: **Com**  
Current Zoning: **CL**

Requested Future Land Use: **UR**  
Requested Zoning: **R4C**

Acreage requested: **2.4 ac**

Reason for the request:

Develop residentially according to vest plat (7 lots of record).

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.

[Signature]  
[Date]  

[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.
REZONING APPLICATION

SUMTER COUNTY ZONING AND ADJUSTMENT BOARD
March 18, 2019

BOARD OF COUNTY COMMISSIONERS
March 26, 2019

CASE NO.: R2019-0006

LAND OWNER: Wayne Cassity and Lisa Friedrich

REQUESTED ACTION: Rezone 2.4 acres MOL from CL to R4C in conjunction with SS2019-0004.

PARCEL NUMBER: F32K041 and F32K047

LEGAL DESCRIPTION: LOTS 2, 4, 5, 6, 7, 8 & 9 BLK D THUNDERBIRD TERRACE SHOPPING CENTER PB 3 PG 30

EXISTING ZONING: CL

EXISTING USE: Vacant

FUTURE LAND USE: Commercial

PARCEL SIZE: 2.4 acres MOL

GENERAL LOCATION: Lake Panasoffkee area

SURROUNDING LAND USE AND ZONING
The surrounding properties are zoned Light Commercial (north and west), R4C (east), and A10C (south). The subject property is located between the Lake Panasoffkee commercial strip and developed residential neighborhoods. Surrounding land uses include a post office and single family residences. The subject property is currently vacant.

CASE SUMMARY
The subject property is located next to the Lake Panasoffkee Post Office between CR 446 and CR 438 (Map 1). The request is to rezone 2.4 acres MOL from CL to R4C in conjunction with SS2019-0004. This will allow single-family residential development of the seven vested lots within the parcel. The surrounding zoning is a mixture of residential and commercial zonings (Map 2).
The site is within a public utility service area and will utilize public water facilities when developed. Future development will require on-site septic service.

This rezoning request is concurrent with Small Scale Land Use Amendment Application SS2019-0004. The R4C zoning request is consistent with the Urban Residential Future Land Use designation requested in SS2019-0004.

CASE ANALYSIS:

The subject property is in an infill area surrounded by commercial and residential development. R4C zoning is consistent with the surrounding land uses and zoning designations.

DEVELOPMENT SERVICES DEPARTMENT STAFF CONCLUSIONS

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

Notices Sent:  55   (Support)  0   (Oppose) 0
Map 1
General Location of R2019-0006
(Subject Area shown in Red)
Map 2
Surrounding Area with Zoning Designations
R2019-0006
(Subject Site shown in Red)
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): Wayne M. Cassity & Lisa A. Friedrich

Address: 3030 47th Street North
ST. Petersburg FL 33713

Owner Phone: (727) 412-5487 Email: CassityWayneC@gmail.com

Name of Agent: ____________________

Address: ________________________

Agent Phone: ____________________ Email: ____________________

Property Information:

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

see deeds

Street Address: NA

Parcels #: F32K041 & F32K047 Current Use: vacant
Current Future Land Use: Com  

Current Zoning: CL  

Requested Future Land Use: UR  

Requested Zoning: R4C  

Acreage requested: 2.4 ac  

Reason for the request: 

Develop residentially according to vest plat (7 lots of record).  

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.  

[Signature]  

[Date]  

[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.