

**SUMTER COUNTY
SPECIAL MASTER PROCEEDING**

CASE NO.	R2021-0005
LAND OWNERS:	Gerard Babauta
REQUESTED ACTION:	Rezone 6.5 acres MOL; the north four acres to RR1 and the south 2.5 acres to RR2.5C.

RECOMMENDATION OF SPECIAL MASTER

On March 15, 2021, Owner Gerard Babauta, through his representatives, was present at the hearing before the Special Master requesting to rezone four acres to RR1 and 2.5 acres to RR2.5C. The application site consists of two adjacent parcels located near the City of Webster. The two properties are designated Rural Residential on the Future Land Use Map and are surrounded by parcels zoned RR1 (north & west), RR5 (south), and PIE-Webster (east). A mobile home lies on the northerly parcel. The narrow parcel contains portions of the septic system and accessory structures. Portions of the one-site utilities and structures are on the southern parcel. This rezoning is being requested to allow the landowner to reconfigure the two lots so that the house with its utilities and accessory structures will be contained on one parcel. Both parcels were lawfully created. The rezoning will allow a home to be constructed on the southern parcel.

Pursuant to Sec. Section 13-313 (d) of the Sumter County Land Development Code, the following are the review criteria for LDC and zoning map amendments:


- a) Change of conditions, or absence of changed conditions.
- b) Community need, or lack of community need.
- c) Benefits to the community.
- d) The rights of private property owners.

The only evidence presented at the hearing was the staff report, in which staff deemed the application sufficient and consisted with the Sumter County Comprehensive Plan and recommended approval. There was no public input. The Applicant provided no further information.

The property has changed ownership. The rezoning will meet an individual property owner need rather than a community need. The rezoning will allow a landowner to reconfigure the two properties and create two buildable lots. The rezoning will not impinge on the rights of adjacent property owners.

Therefore, the Special Master recommends Application R2021-0005 for APPROVAL to the Board of County Commissioners at the commission meeting currently scheduled for March 23, 2021.

ORDERED this 17th day of March, 2021.



ZACHARY T. BROOME, ESQ.
Special Master
Florida Bar No. 91331