

**SUMTER COUNTY  
SPECIAL MASTER PROCEEDING**

**CASE NUMBER:** S-23-002331

**LANDOWNER:** Buffalo Hide and Cattle Company, LLC.

**REPRESENTATIVE:** Brandon Matulka, Rapid Infiltration Basin Infrastructure & Transmission, LLC.

**REQUESTED ACTION:** Major special use permit to allow for rapid infiltration ponds.

**PARCEL NUMBER:** J14-033, J14-001, J14-005, J11-005, J11-008

**EXISTING ZONING:** A10C - Agriculture

**EXISTING USE:** Vacant

**FUTURE LAND USE:** Agriculture

**PARCEL SIZE:** 244.19 acres MOL

**GENERAL LOCATION:** Sumterville — East of I-75 and North of C.R. 470 E

**STAFF RECOMMENDATION:** Approval with conditions.

**ANALYSIS:**

The applicant was present at the hearing. Residents expressed concerns about odor and the general deterioration of the area surrounding the proposed site.

Pursuant to the staff report, the applicant is requesting a major special use permit to allow for rapid infiltration ponds for wastewater effluent. Waste water treatment will be provided offsite, this project is limited to effluent disposal. The applicant provided a site plan for the project showing five rapid infiltration basins situated along the upland southern portion of the subject site, preserving wetland areas and flood zones to the north.

The proposed project must meet Southwest Florida Water Management District (“SWFWMD”) and Florida Department of Environmental Protection (“DEP”) requirements for water quality and protection and will not encroach on wetlands on the property.

The application site is located in a primary economic activity center surrounded by a mix of Agribusiness and Industrial uses. To the south is an industrial area including a sanitary landfill, truss company, ASPCA (on a former landfill), and a fertilizer supplier. Surrounding properties to the north, east, and west are zoned A10C and have very little development with the property

directly to the North being a conservation area owned by SWFWMD and including a portion of Shady Brook river.

Pursuant to Section 13-332, Sumter County Land Development Code, the proposed special use must meet the following requirements for approval. After hearing staff's testimony, the presentation of the applicant and public comment, the Special Master makes the following findings:

- a. The use must be in harmony with the purpose and intent of this chapter.  
*The Special Master has been advised and agrees that wastewater treatment may be applied for under the A10C zoning district schedule of uses.*
- b. The use must be compatible with surrounding existing and anticipated uses.  
*The Special Master agrees with staff that the use is compatible due to the level of required water treatment.*
- c. The use must not adversely affect the public interest. Adequate traffic circulation, sanitary, utility, drainage, refuse management, emergency services, and similar necessary facilities and services shall be available for the use. A use shall not create hazardous vehicular or pedestrian traffic conditions, parking congestion, or generate traffic that exceeds the capability of roads and streets serving the use, or otherwise, affect public safety.  
*The Special Master finds the proposed use will have a minimal impact on traffic.*
- d. The site must be suitable for the proposed use, considering flood hazard, drainage, soils, and other conditions that may pose a danger to life, health, or property.  
*The record does not indicate a flood or wetland impact. The site appears suitable for the proposed use.*
- e. The development of the use shall have no more than a minimal adverse effect on the environment, public health, safety, and welfare.  
*The evidence presented indicates the proposed use will not adversely affect the public health, safety, and welfare due to the required treatment of the water.*
- f. Proposed improvements and the level of cooperation by the developer shall be considered.  
*The record indicates the applicant has been cooperative and responsive to staff and Special Master questions.*
- g. Unless specifically provided otherwise, the use shall comply with this code.  
*The Special Master finds the use complies with the Land Development Code.*

The following additional requirements must be considered in reviewing special uses (Sec 13-332(a)(2)). After hearing staff's testimony, the presentation of the applicant and public comment, the Special Master finds as follows:

- a. The use must not be detrimental to the neighborhood environment or unduly infringe on the rights of surrounding property owners.  
*The record does not indicate the use would be detrimental or otherwise infringe on the rights of neighboring property owners.*

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

*The Special Master finds this project will not generate significant traffic or create hazards to the public health and safety.*

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

*The Special Master finds that screening and buffering are not required for this proposed use.*

The Special Master has reviewed staff's analysis of the site and finds the application to be inconsistent with the Sumter County Land Development Code and Sumter County Comprehensive Plan.

Specifically, the Special Master finds the application compliant so long as the airstrip is constructed and operated subject to the following conditions as recommended by county staff:

1. This Special Use Permit approval is for the operation of a rapid infiltration basin.
2. Site development shall be as shown on the conceptual plan. Development Services Director may approve minor modifications to the site plan that do not create adverse impacts on adjacent property owners or increase the intensity of use.
3. Landscape buffers are not required.
4. This special use permit runs with the following properties (J14-033, J14-001, J14-005, J11-005, J11-008).
5. The special use permit will run with the properties above to coincide with The Villages of Southern Oaks Chapter 163 Development Agreements and remaining in place as long as the permitted use is on the property.
6. The site shall not be used until a site development plan is approved and completed. Development must be complete within ten years. If a good faith effort is shown, the Development Services Director can renew for five additional years.
7. Property shall be fenced to prevent unpermitted access.
8. Equipment used in effluent disposal activities shall be properly maintained and operated to prevent nuisance odors.
9. Suspension, expiration, or revocation of any other agency permit could result in the suspension, expiration, or revocation of this special use permit; unless the other agency permit suspension, expiration or revocation is remediated;
10. Notwithstanding the previous expiration conditions, this special use permit may be suspended or revoked by the Board of County Commissioners consistent with Section 13-333(e), Sumter County Land Development Code.

S-23-002331  
Buffalo Hide and Cattle Company, LLC

Therefore, subject to the above listed conditions as recommended by staff, the Special Master hereby recommends APPROVAL of S-23-002331 by the Board of County Commissioners at its next meeting currently scheduled for March 28, 2023.

**ORDERED** this 6<sup>th</sup> day of March, 2023.

/s Derrill McAteer

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Derrill L. McAteer  
Special Master  
FBN 0628972