

**SUMTER COUNTY
REZONING APPLICATION**

**PLANNING AND ZONING SPECIAL MASTER
MAY 15, 2023**

**BOARD OF COUNTY COMMISSIONERS
JUNE 13, 2023**

CASE NUMBER: R-23-006301

LANDOWNER: John A. Papagno

REQUESTED ACTION: Rezone 1.12 acres from RR1C (Rural Residential), to CH (Heavy Commercial)

PARCEL NUMBERS: F31F007

LEGAL DESCRIPTION: LOT 1, BAILEY'S SUBDIVISION PLAT BOOK 4 PAGE 9

EXISTING ZONING: RR1C (Rural Residential)

EXISTING USE: Vacant

FUTURE LAND USE: Commercial (Concurrent land use amendment SS-23-06300)

PARCEL SIZE: 1.12 acres MOL

LOCATION: Lake Panasoffkee – Located on the southeast corner of CR 416N and N C-470 (Map 1).

SURROUNDING LAND USE AND ZONING

The application site consists of one single parcel of 1.12 acres MOL on the corner of C.R 416 N and N C-470. The surrounding area is Residential and Commercial on the Future Land Use Map with the contiguous properties to the east being Commercial. Surrounding zoning includes Residential (R4C, RR1C, RR5C) to the south and west, Agriculture (A10C) to the north, and Commercial (CL) to the east (Map 2). Developed commercial properties to the east include auto repair and body shop businesses. The surrounding area is predominantly residential with some commercial uses.

CASE SUMMARY

The applicant is requesting this rezoning to allow for use as a storage business with outside storage. The property is located within the urban development area and is in a location offering two road frontages, one of those being arterial, and existing commercial uses to the east. The property is served by the Lake Panasoffkee Water Association for potable water. Central sewer service is not available.

CASE ANALYSIS:

Staff is concerned that Heavy Commercial usage is too intense for a location in a predominantly residential neighborhood and lacking sewer service. Staff recognizes that commercial use is appropriate and can be compatible with the surrounding neighborhood; However, a lower intensity zoning such as Planned Commercial (CP) is more appropriate. The applicant has verbally agreed to modify their request to Planned Commercial but has not provided a written confirmation.

The original request for Heavy Commercial zoning is not consistent with the following policies of the Unified Comprehensive Plan:

Policy 1.1.4, *Compatibility*, of the Sumter County Unified Comprehensive Plan requires zoning districts be compatible with the character of the neighborhood or community.

Policy 1.1.2, *Development Pattern*, focuses urban development to areas with appropriate existing or planned centralized water and sewer service.

These concerns can be addressed with a Planned Commercial zoning. Staff is providing conditions of approval to ensure compatibility with surrounding residential uses.

LDC 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.
There has not been a recent change in conditions.
- b) Community need, or lack of community need.
The requested rezoning does not address a community need.
- c) Benefits to the community.
The rezoning will provide an additional product/service to the area.
- d) The rights of private property owners.
Heavy commercial uses may be intrusive to adjacent residential areas. The recommended Planned Commercial conditions limit potential uses to those that will be less likely to cause a nuisance in residential areas.

Staff has reviewed land ownership and authorization through deeds.

DEVELOPMENT SERVICES DEPARTMENT STAFF CONCLUSIONS

Staff deemed the application sufficient for review.

- A. Staff has found the request for Heavy Commercial not in compliance with the minimum requirements of the Sumter County Land Development Code and Comprehensive Plan.
- B. Staff finds the verbal modification of the request to Planned Commercial in compliance with the minimum requirements of the Sumter County Land Development Code and Comprehensive Plan. Staff recommends approval of the amended petition to Planned Commercial subject to the following conditions:
 - 1. All Light Commercial uses permissible by the Land Development code Section 13-431 will be permitted under this planned commercial zoning designation.
 - 2. Outside storage usage is permitted
 - 3. All outside storage must be screened from adjacent properties by 6-foot opaque fencing.
 - 4. Buffering shall follow LDC Table 13-563A for Light Commercial zoning districts.

Notices Sent: 14

Map 1 General Location



