

**SUMTER COUNTY
SPECIAL MASTER HEARING
MAY 15, 2023**

CASE NUMBER: R-23-006301

LANDOWNER: John A. Papagno

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

PARCEL NUMBER: F31F007

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).

STAFF RECOMMENDATION: Approval with conditions

Background:

The applicant orally amended the application modifying the rezoning request from Heavy Commercial to Planned Commercial.

As stated in the staff report, 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.

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.

Staff has reviewed land ownership.

Special Master Findings:

After having heard public comment regarding the property, the Special Master agrees with staff's finding that the application is sufficient and finds there is competent and substantial evidence that the requested rezoning is consistent with the proposed amended future land use designation (SS-23-06300) and the policies of the Sumter County Unified Comprehensive Plan.

Conversion of this property to the requested rezoning is found to be consistent with the surrounding development pattern. The Special Master finds the rezoning will not increase the allowable density of development in a manner inconsistent with surrounding uses or the comprehensive plan. The Special Master agrees that the proposed rezoning furthers the policies of the Sumter County Unified Comprehensive Plan, specifically 1.1.4, 1.1.2, 1.3.8, and 1.6.3.

Section 13-313(d) of the Sumter County Code requires the following considerations for 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 zoning 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: Planned Commercial conditions limit potential uses to those that will be less likely to cause a nuisance in residential areas.

The Special Master finds pursuant to 13-104 and in consideration of the conditions in 13-313(d) of the Sumter County Land Development Code, that the amended application is consistent with the assigned future land use designation, and in compliance with the minimum requirements the policies of the Sumter County Unified Comprehensive Plan, and with consideration of the additional conditions identified by staff and adopted by the Special Master in this recommendation.

The Special Master identifies the following as conditions for approval.

- 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.

The Special Master has reviewed the staff's analysis of the relevant factors and agrees with staff that sufficient conditions are satisfied to recommend the requested rezoning from the staff report and testimony, and the record is otherwise complete.

Therefore, after balancing the rights of the applicant with the impact proposed changes may have on the public at large, and staff's recommended additional conditions as stated in the staff report, the Special Master recommends Application R-23-006301 for APPROVAL with conditions to the

R-23-006301

John A. Papagno

Board of County Commissioners, concurrent and contingent upon adoption of SS-23-006300, on June 13, 2023.

ORDERED this 15th day of May, 2023.



Amanda Boggus

Special Master

FL Bar No. 76849