

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

CASE NUMBER: R-23-006541

LANDOWNER: Shannon Kennedy DVM

REQUESTED ACTION: Rezone 3.02 acres from A10C (Agriculture), to CL (Light Commercial)

PARCEL NUMBER: J12-059

EXISTING ZONING: A10C (Agriculture)

EXISTING USE: Vacant

FUTURE LAND USE: Agriculture (Concurrent land use amendment SS-23-05853)

PARCEL SIZE: 3.02 acres MOL

LOCATION: Sumterville – Located on the east side of 301 and north of E C- 470 (Map 1).

STAFF RECOMMENDATION: Approval

Background:

As stated in the staff report, the applicant has requested to rezone a 3-acre parcel, which is currently not compliant, from A10C (Agriculture with 10-acre minimum lot size) to Light Commercial. The requested zoning is consistent with growth and the development pattern of the surrounding area as shown by its inclusion in both the urban development area and a primary economic activity center. This parcel is in a location offering frontage on an arterial road with current commercial land use and zoning to the east and south. The requested zoning is consistent with the surrounding development pattern and will not increase the allowable density of development. The property completes a node of commercial in the area.

The application site consists of one single parcel of 3.02 acres MOL on the east side of U.S. 301 and north of E C-470. The surrounding area is Agriculture and Commercial on the Future Land Use Map with the contiguous properties to the east and south being Commercial. Surrounding zoning includes Residential (RR5C) to the north, Regional Commercial (CR) to the east and south, and Recreation Vehicle Planned Unit Development (RVPUD) to the west (Map 2) across US 301.

Staff has reviewed land ownership and authorizations.

Special Master Findings:

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 small scale comprehensive plan amendment (SS-23-05853) 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, 1.2, 1.3.4, 1.3.7, 1.3.8, 1.6.3, and 8.3.1.

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 rezoning does address the need for professional veterinary services in an area that is rapidly expanding with single-family homes.
- c) Benefits to the community: The rezoning will provide an additional product/service to the area and has the potential to create jobs in the area.
- d) The rights of private property owners: The rezoning will not impinge on the rights of adjacent property owners.

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 application is consistent with the assigned future land use designation, and will bring the parcel into compliance with the concurrent land use amendment and the minimum requirements the policies of the Sumter County Unified Comprehensive Plan.

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 recommendation as stated in the staff report, the Special Master recommends Application R-23-006541 for APPROVAL to the Board of County Commissioners, concurrent and contingent upon adoption of SS-23-005853, on June 13, 2023.

ORDERED this 15th day of May 2023.



Amanda Boggus
Special Master
FL Bar No. 76849