

**SUMTER COUNTY
SPECIAL MASTER PROCEEDING
AUGUST 7, 2023**

CASE NUMBER: R-23-011828

LANDOWNERS: Gautambhai and Falguniben Patel, Brendel Properties, Joseph and Jennifer Hooten, Timothy and Bridget Hooten

REPRESENTATIVE: Joseph Hooten

REQUESTED ACTION: Rezoning 46 acres MOL from Agricultural (A10C – 10 acre minimum lot size) to Rural Residential with a one-acre lot size (RR1C).

PARCEL NUMBERS: N15-193, N15-196, N15-197, N15-198, N15- 194, N15-195, N15-003, N15-192, N15-199

LEGAL DESCRIPTION:

N15-192: THE E 164.50 FT OF THE NW 1/43 OF THE NE ¼ OF THE NW ¼ LESS THE S 20.00 FT THEREOF AND THE W 164.50 OF THE NE ¼ OF THE NE ¼ OF THE NW ¼ LESS R/W FOR CR 548

N15-193: THE NE ¼ OF THE NE ¼ OF THE NW ¼ LESS THE W. 164.50 FT AND THE E 164.50 FT THEREOF LESS R/W FOR CR 548

N15-194: THE E 164.50 OF THE NE ¼ OF THE NE ¼ OF THE NW ¼ AND THE W ½ OF THE NW ¼ OF THE NW ¼ OF THE NE ¼ LESS R/W FOR CR 548

N15-195: THE E ½ OF THE NW ¼ OF THE NW ¼ OF THE NE ¼ LESS R/W FOR CR 548

N15-196: THE E ½ OF THE SW ¼ OF THE NW ¼ OF THE NEW ¼ LESS R/W FOR CR C-476

N15-197: THE W ½ OF THE SW ¼ OF THE NW ¼ OF THE NE ¼ LESS R/W FOR CR-476

N15-198: THE E ½ OF THE SE ¼ OF THE NE OF THE NW 1/3 LESS R/W FOR CR C-476
N15-199: THE W ½ OF THE SE ¼ OF THE NE ¼ OF THE NW ¼ LESS R/W FOR CR C-476

N15-199: THE W ½ OF THE SE ¼ OF THE NE ¼
OF THE NW ¼ LESS R/W FOR CR C-476

N15-003: THE NW ¼ OF THE NE ¼ OF THE NW
¼ LESS THE FOLLOWING: THE S 20.00 FT
THEREOF AND LESS THE E 164.50 FT
THEREOF AND LESS THE N 325.00 FT OF THE
WEST 134.00 FT THEREOF LESS R/W OF CR
548

EXISTING ZONING: A10C

EXISTING USE: Pasture and vacant wooded

FUTURE LAND USE: Rural Residential

PARCEL SIZE: 46 acres

LOCATION: Bushnell – south side of CR 548 (E Belt Ave),
East of S. US 301

STAFF RECOMMENDATION: Approval

Background:

As stated in the staff report, the application site consists of nine parcels that make up 46 acres MOL between Sumter County Road 548 (E. Belt Ave.) and E C-476 (E. Noble Ave.), East of US 301. The surrounding area is Rural Residential on the Future Land Use Map with properties further east being Agriculture. The surrounding zoning includes Rural Residential and Suburban Residential (RR1C, RR5, RR5C, RR1, R2M, and A10C).

The subject parcels were recently created as an exempt subdivision that was approved by the Development Services Director on July 14, 2023. A portion of the project site was platted and required a partial plat vacation prior to subdividing. The Sumter County Board of County Commissioners approved the partial plat vacation on August 3, 2022. The exempt subdivision is generally configured as on the proposed conceptual subdivision and has no shared infrastructure.

The parcels have A10C zoning assignments and require rezoning to comply with the smaller parcel sizes. RR1C zoning assignment allows for either site-built homes or Class A mobile homes as permitted residences.

The property does not contain areas of special flood hazard. The requested use is compatible with the neighborhood development pattern.

The requested zoning is consistent with the existing and requested future land use assignments and the surrounding neighborhood. The requested zoning is consistent with the Land Development Code and policies of the Unified Comprehensive Plan.

Staff has reviewed land ownership and authorization through deeds.

Special Master Findings:

After having received public comments regarding the property, the Special Master agrees with the staff's finding that the application is sufficient and finds there is competent and substantial evidence that the requested rezoning is consistent with the assigned future land use designation 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.

Section 13-313(d) of the Sumter County Code requires the following considerations for zoning map amendments.

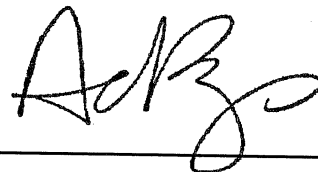
- a) Change of conditions, or absence of changed conditions: Staff reported the property was recently subdivided.
- b) Community need, or lack of community need: Staff reported the rezoning is necessary to assign a zoning district that is consistent with the parcel size created by the current landowners as a part of their exempt subdivision.
- c) Benefits to the community: Staff reported the rezoning will allow development of lawfully created parcels and increase housing availability in the area.
- d) The rights of private property owners: Staff reported 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 the policies of the Sumter County Unified Comprehensive Plan

The Special Master finds that staff has satisfied the conditions for the rezoning in its report and testimony and the record is otherwise complete.

Therefore, the Special Master recommends, after balancing the rights of the applicant with the impact proposed changes may have on the public at large, Application R-23-011828 for APPROVAL to the Board of County Commissioners at the commission meeting on August 22, 2023.

ORDERED this 7th day of August, 2023.



Amanda Boggus
Special Master
Fla. Bar No. 76849