

## PLANNING AND ZONING SPECIAL MASTER MEETING

February 3, 2020

Present: Zachary T. Broome – Special Master, Sue Farnsworth, Planner –Secretary, Karl Holley, Development Services Director.

Special Master Broome called the meeting to order at 6:00 p.m.

Special Master Broome led the Pledge of Allegiance.

Special Master Broome approved the minutes from January 6 and entered them into the record.

Ms. Farnsworth swore in the audience members who intended to speak.

Special Master Broome presented the proofs of publication for the meeting.

Special Master Broome announced that application S2019-0012, Ortiz Planning Solutions for Todd Mooney has been withdrawn and will not be heard.

### **T2019-0023 –Tammy Whicker– Temporary Use Permit to allow the continued use of a mobile home for a medical care receiver residence.**

Ms. Whicker presented her request

Ms. Farnsworth presented staff recommendation.

Special Master Broome called for public input and received no comments.

Special Master Broome found the application consistent with the Land Development Code standards and approves the request with the conditions provided in the staff report as follows::

1. The caregiver and care receiver must reside on the property on a full-time basis during the period prescribed herein. Occupants of the second principal residence shall be restricted to the caregiver or care receiver, the caregiver's or care receiver's spouse or partner, and the minor children of the caregiver or care receiver's spouse or partner.
2. T2019-0023 shall expire February 3, 2023.
3. The mobile home must be removed within 90 days of the TUP expiration date or if the medical care receiver no longer resides on the property.

### **SS2020-0001 – Reggie Caruthers for George & Kathy Howton – Change the Future Land Use assignment on 2.12 acres MOL from Agricultural to Rural Residential.**

Ms. Caruthers presented the application.

Ms. Farnsworth presented staff recommendation.

Special Master Broome called for public input and received no comments.

Special Master Broome found the application consistent with the Comprehensive Plan and recommends approval to the Board of County Commissioners.

**SS2020-0002 Roger Strcula of Upham Inc. for L&N Land Investments— Recommendation to the BOCC on changing the future land use assignment on 1 acre MOL from Urban Residential to Commercial.**

Mr. Strcula represented the applicant..

Special Master Broome asked if there is an intervening party to be recognized. Richard Brewster, Esq identified himself as an intervener representing UP LA Leesburg. Special Master Broome recognized Mr. Brewster. Mr. J.J. Johnson, Esq representing UP LA Leesburg, LLC entered the meeting and presented himself as also representing UP LA Leesburg and was recognized by the Special Master.

Mr. Holley presented the staff recommendation.

Mr. Strcula presented opening comments.

Mr. Johnson presented opening comments.

Special Master Broome asked questions of Mr. Johnson.

Mr. Brewster presented testimony

Mr. Strcula responded to the intervener's opening comments.

Special Master Broome called for public input and received public input.

Ms. Farnsworth summarized the letters of opposition received by staff.

Special Master Broome closed public input.

Mr. Johnson made a closing statement.

Mr. Strcula made a closing statement.

Special Master Broome called for public input and received comments.

Special Master Broome closed the meeting to public comments.

Special Master Broome found the application in compliance with the Comprehensive Plan and Land Development Code standards and recommends approval to the BOCC.

**R2020-0001 - Roger Strcula of Upham Inc. for L&N Land Investments, et. al.— Recommendation to the BOCC on rezoning 6.7 acres MOL from RPUD to Heavy**

**Commercial in conjunction with SS2020-0002 and consistent with the adopted Future Land Use Map.**

Special Master Broome announced that all testimony and evidence provided in SS2020-0002 shall be entered into record for this application.

Mr. Strcula made an opening statement.

Mr. Johnson made an opening statement.

Mr. Brewster provided testimony.

Mr. Holley presented the staff recommendation.

Special Master Broome asked questions of staff.

Special Master Broome called for public input and received comments.

Special Master Broome asked questions of staff, the applicant, and the intervenor regarding the current zoning and allowable uses. The applicant indicated that the applicant was willing to limit the proposed uses of the property in conformity with existing uses, because the rezoning was solely for obtaining a higher density.

Special Master Broome found that there was evidence that some of the uses in the proposed rezoning would be potentially in conformity with the existing zoning but that the applicant had not expressly limited the proposed uses. Special Master Broome found that, other than the potential inappropriate uses, the application was otherwise in compliance with the Comprehensive Plan and Land Development Code standards. Special Master stated that if the applicant worked with staff prior to the BOCC meeting to stipulate to a limitation on allowable uses to those in conformity with the area, then the Special Master recommended approval with staff's other conditions in the record. If the applicant did not limit the applicant's uses of the property prior to the BOCC meeting, then the recommendation will be for denial.

**CP2020-0001 – Michael Wood for AAMW – Recommendation to the BOCC on changing the future land use assignment on 24 acres MOL from Agriculture to Commercial.**

Mr. Wood presented his request.

Ms Farnsworth presented the staff recommendation.

Special Master Broome noted that there were no members of the public in the room and received no comments.

Special Master Broome found the application consistent with the Comprehensive Plan and recommends approval to the Board of County Commissioners.

**R2020-0002 – Michael Wood for AAMW – Recommendation to the BOCC on rezoning 33.5 acres MOL from A10C to RVPUD and adopt a new master plan of development in conjunction with CP2020-0001.**

Mr. Wood presented his request.

Ms Farnsworth presented the staff recommendation and read the recommended conditions of approval into the record.

Special Master Broome noted that there were no members of the public in the room and received no comments.

Mr. Wood asked questions about the conditions of approval. Special Master Broome agreed he could work with staff to modify the conditions of approval prior to the application moving forward to the BOCC.

Special Master Broome found the application consistent with the Comprehensive Plan and Land Development code and recommends approval to the Board of County Commissioners subject to the following conditions:

1. Development as a RV park and campground shall be as generally depicted in the conceptual plan submitted as part of application R2020-0002 and provided in the attachment.
2. The conceptual plan provides for 189 new lots. Lots may be used for RVs, tents, or park models. Any increase in intensity greater than 500 new lots on parcels C34A174, C34A476, and C35A003 must be approved by the Board of County Commissioners.
3. Mobile homes may not be installed in the expansion area with the exception of one on-site manager unit.
4. A traffic impact analysis (TIA), meeting Sumter County TIA guidelines, shall be provided by the applicant, and approved by Sumter County Engineering Division prior to site development permit issuance. The applicant shall coordinate with Sumter County Engineering Division to analyze the potential impacts to the public roadway system and identify appropriate mitigation strategies as necessary.
5. At least 25% of the overall RV park shall be retained in open space. Open space may be calculated using the entire RV park and open space being retained in the vested portion of the park.
6. A site development permit application must be submitted within one year. If site development is not complete within three years a new conceptual plan approval is required. The Director of Development Services may extend these deadlines for up to one year if permitting and development have proceeded in good faith.

Special Master Broome closed the meeting at 7:39 p.m.