

**SUMTER COUNTY BOARD OF COMMISSIONERS
EXECUTIVE SUMMARY**

SUBJECT: *R2012-0017 - Rezone 2 acres MOL from R1A to RR1C. Francis and Susan Scott, et al - US 301/Bushnell (ZAB recommends approval).

REQUESTED ACTION: **Approve rezoning R2012-0017**

Work Session (Report Only) **DATE OF MEETING:** 8/14/2012
 Regular Meeting Special Meeting

CONTRACT: N/A Vendor/Entity: _____
Effective Date: _____ Termination Date: _____
Managing Division / Dept: Planning

BUDGET IMPACT: _____
 Annual **FUNDING SOURCE:** _____
 Capital **EXPENDITURE ACCOUNT:** _____
 N/A

HISTORY/FACTS/ISSUES:

The applicants are requesting to rezone 2 acres MOL from R1A to RR1C to complete a lineal transfer.

The Zoning & Adjustment Board held a public hearing on August 6, 2012, and recommended approval (5-0).

ZAB cases:

1) R2012-0017 Francis & Susan Scott, Trustees, et al ****

RESOLUTION NUMBER _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SUMTER COUNTY, FLORIDA, REZONING PROPERTY LOCATED WITHIN THE UNINCORPORATED LANDS OF THE COUNTY.

WHEREAS, the Board of County Commissioners of Sumter County received a complete and properly funded application for rezoning of property located within the unincorporated lands of Sumter County, and;

WHEREAS, after diligent review and consideration the above referenced rezoning was approved.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sumter County, Florida, as follows:

1. Based on competent substantial evidence presented and considered during a properly noticed quasi judicial hearing, the Board of County Commissioners of Sumter County hereby approves rezoning application R2012-0017. The lands described in application R2012-0017 are hereby rezoned to RR1C, as that zoning category is described in the Sumter County Land Development Code.

DONE AND RESOLVED THIS ____ DAY OF _____, 2012,
at _____, Sumter County, Florida.

ATTEST: GLORIA HAYWARD
Clerk of Circuit Court

BOARD OF COUNTY COMMISSIONERS
OF SUMTER COUNTY, FLORIDA

Deputy Clerk

Garry Breeden, Chairman

SUMTER COUNTY ZONING AND ADJUSTMENT BOARD
August 6, 2012

Sumter County Board of County Commissioners
August 14, 2012

CASE NO.	R2012-0017
APPLICANT:	Francis & Susan Scott, Trustees, et al
REPRESENTATIVE:	Kyle Jones
REQUESTED ACTION:	Rezone 2 acres MOL from R1A to RR1C to complete lineal transfer.
EXISTING ZONING:	R1A
FUTURE LAND USE:	AG
EXISTING USE:	Residence
PARCEL SIZE:	11 acres MOL
GENERAL LOCATION:	Bushnell area
LEGAL DESCRIPTION:	Sec. 04, Twp. 21S, Rng. 22E: That part of the NE ¼ of E SAL RR & N of center line of Jumper Creek Drainage Canal. To be rezoned: W 210' of E 1185' of N 420' of NE ¼
<u>SURROUNDING LAND USE:</u>	<u>SURROUNDING ZONING:</u>
NORTH: AG	NORTH: R1 - Residence
SOUTH: AG	SOUTH: Non-Compliant RR5 – Vacant
EAST: AG	EAST: R1A - Residence
WEST: AG	WEST: R1A - Residence
Commissioners District:	District 2

CASE SUMMARY:

The subject property is located on the west side of N US 301 directly across from CR 534 in the Bushnell area of unincorporated Sumter County. The property is located within the Joint Planning Area and Interlocal Service Boundary. This rezoning request is to rezone 2 acres MOL from R1A to RR1C (High Density Rural residential with Conventional Housing) Zoning to complete a lineal transfer. The RR1C zoning allows for (1) conventional or Class A mobile home dwelling unit per parcel.

The dimensions of the subject property are consistent with the minimum lot size requirements of Section 13-551, Table 13-551A, for the RR1C zoning district.

This rezoning is to complete a lineal transfer from grandparent to grandchild. The grandparents originally gave the grandchild one (1) acre. When requesting information on obtaining a permit, it was discovered an additional acre would be required in order to meet the lineal transfer requirements.

The lineal transfer is for 2 acres MOL out of an 11 acre MOL parent parcel OR Book 2463 Page 437.

CASE ANALYSIS:

The lineal transfer is consistent with the lineal transfer requirements of Section 13.308 (a) (1) of the Land Development Code.

DIVISION OF PLANNING & DEVELOPMENT STAFF CONCLUSIONS:

Staff deems the application sufficient and in compliance with the minimum requirements of the Sumter County Land Development Code and Comprehensive Plan and recommends approval.

Notices Sent: 11 (In objection) 0 (In favor) 0

Zoning & Adjustment Board Recommendation: Approval (5-0)



SUMTER COUNTY ZONING AND ADJUSTMENT BOARD

910 N. Main Street, Suite 301, Bushnell, FL 33513
Tel (352) 793-0270 Fax (352) 793-0274

Project No: R2012-0017

Application: 6/20/2012 SMC

REZONING

PROJECT TYPE RE NG		PROJECT SUBTYPE RESIDENTIAL		PROJECT DESCRIPTION Rezone 2 acres MOL from R1A to RR1C to complete a lineal transfer	
OWNER SCOTT, FRANCIS B & SUSAN L, TRU		ADDRESS PO BOX 611 BUSHNELL, FL 33513		PHONE	
AGENT/APPLICANT Kyle Jones		ADDRESS PO Box 1091 BUSHNELL, FL 33513		PHONE (352) 470-3170	
PARCEL # N04=001	SEC/TWP/RNG 042122	GENERAL <i>Bushnell</i>	DIRECTIONS TO PROPERTY N ON US 301 THE PROPERTY IS LOCATED APPROX. 210 ACROSS MILE N OF CR 536 ON THE W SIDE OF THE ROAD. <i>from CR 534</i>		
Property Address 4004 S US 301, Bushnell, FL 33513			LEGAL DESCRIPTION THAT PART OF NE1/4 E OF SAL RR & N OF CENTER LINE OF JUMPER CREEK DRAINAGE CANAL		
PARCEL SIZE 11 acres MOL	F.L.U. AGR	PRESENT ZONING R1A			
PRESENT ZONING R1A		PRESENT USE Residence		N04=066 THE W 210 FT OF E 1185 FT OF N 210 FT OF NE 1/4 <<<less	
REQUESTED REZONING Rezone 2 acres MOL from R1A to RR1C to complete a lineal transfer	REZONED ACREAGE 2 acres MOL	REZONED LEGAL DESCRIPTION W 210' of E 1185' of N 420' of NE 1/4			

ABUTTING PROPERTY	NORTH	EAST	SOUTH	WEST
ZONING/USE F.L.U.	R1/Residence Ag	R1A/Residence Ag	non-compliant RR5/vacant Ag	R1A/Residence Ag

As owner/agent, I agree to post the hearing plaques within 24 hours on the property's road frontage at the corners and at 300' intervals between. I understand any action on my application will be governed by Sumter County's Comprehensive Plan and Development Code, an payment of the non-refundable application fee will not influence the decision made on this application.

UNDER PENALTIES OF PERJURY, I DECLARE THE ABOVE INFORMATION THAT I HAVE GIVEN TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Francis B. Scott *Susan L. Scott*
Anthony R. Jones *Amanda N. Jones*

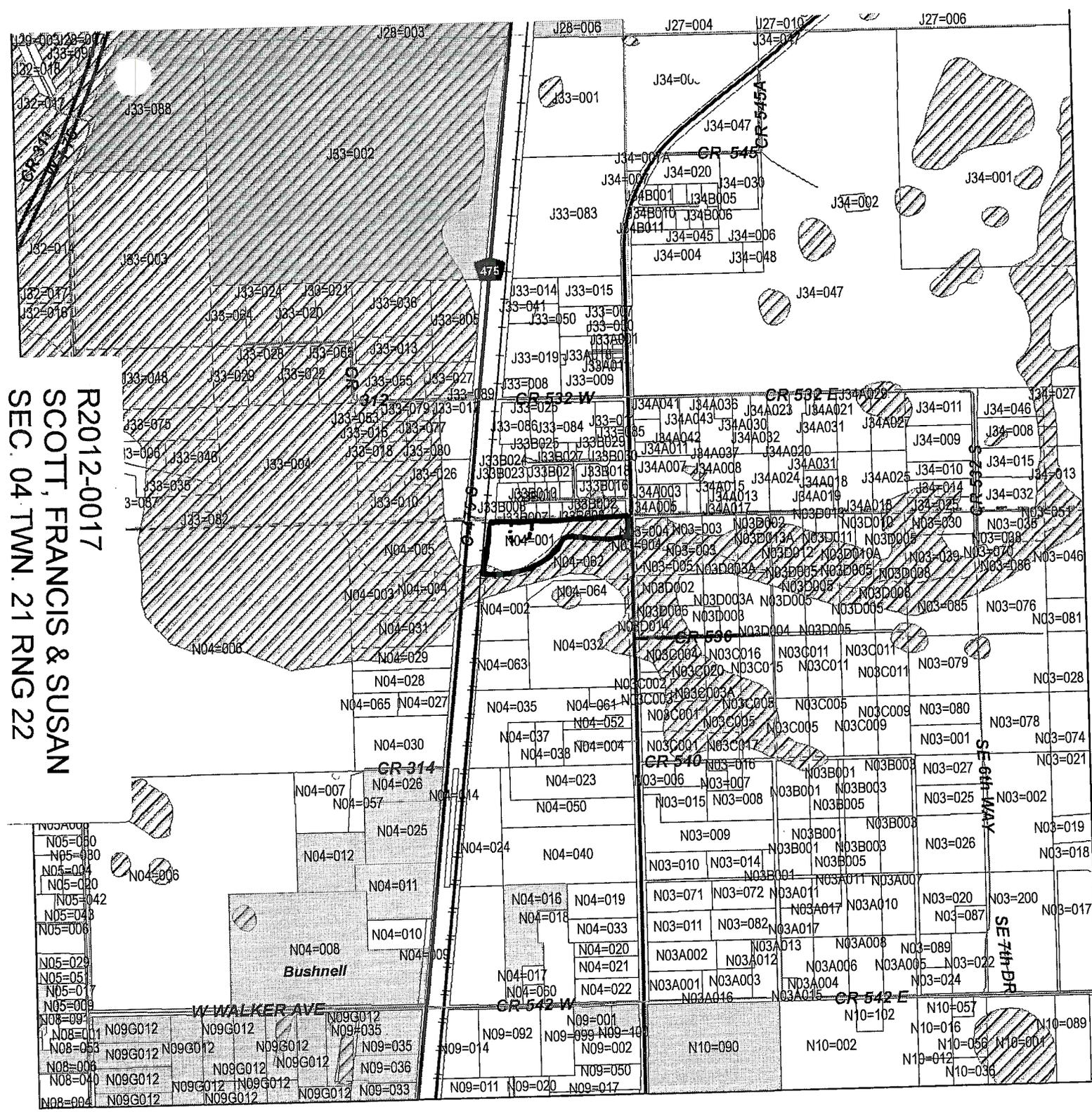
Signature(s) Date: June 20, 2012

A Public Hearing before the Zoning and Adjustment Board will be held on the date indicated below in the Sumter County Courthouse, Bushnell, FL. This application will be heard at the time indicated below. Your appearance or representation at this hearing is required, and lack of same will cause your application to be disposed of according to the policy adopted by the Board of County Commissioners. The recommendation of the Zoning and Adjustment Board on this request will be presented to the Board of County Commissioners at a Public Hearing to be held at the date/time indicated below in the Sumter County Courthouse, Bushnell, FL, room number indicated below.

Zoning and Adjustment Board	8/6/2012 6:30 PM	Room: 142	Action: _____
County Commission Meeting	8/14/2012 5:30 PM	Room: 142	Action: <i>Colony Cottage</i>

NOTICES SENT	RECEIVED IN FAVOR	RECEIVED OBJECTING
11	0	0

Please Note: In preparation of the application, county zoning staff will visit the site to take photographs. This will be done in county-marked vehicles. Generally, staff will take photographs from the roadway or easement, and will not come on site unless access requires it.



R2012-0017
 SCOTT, FRANCIS & SUSAN
 SEC. 04 T.11N. R.21E

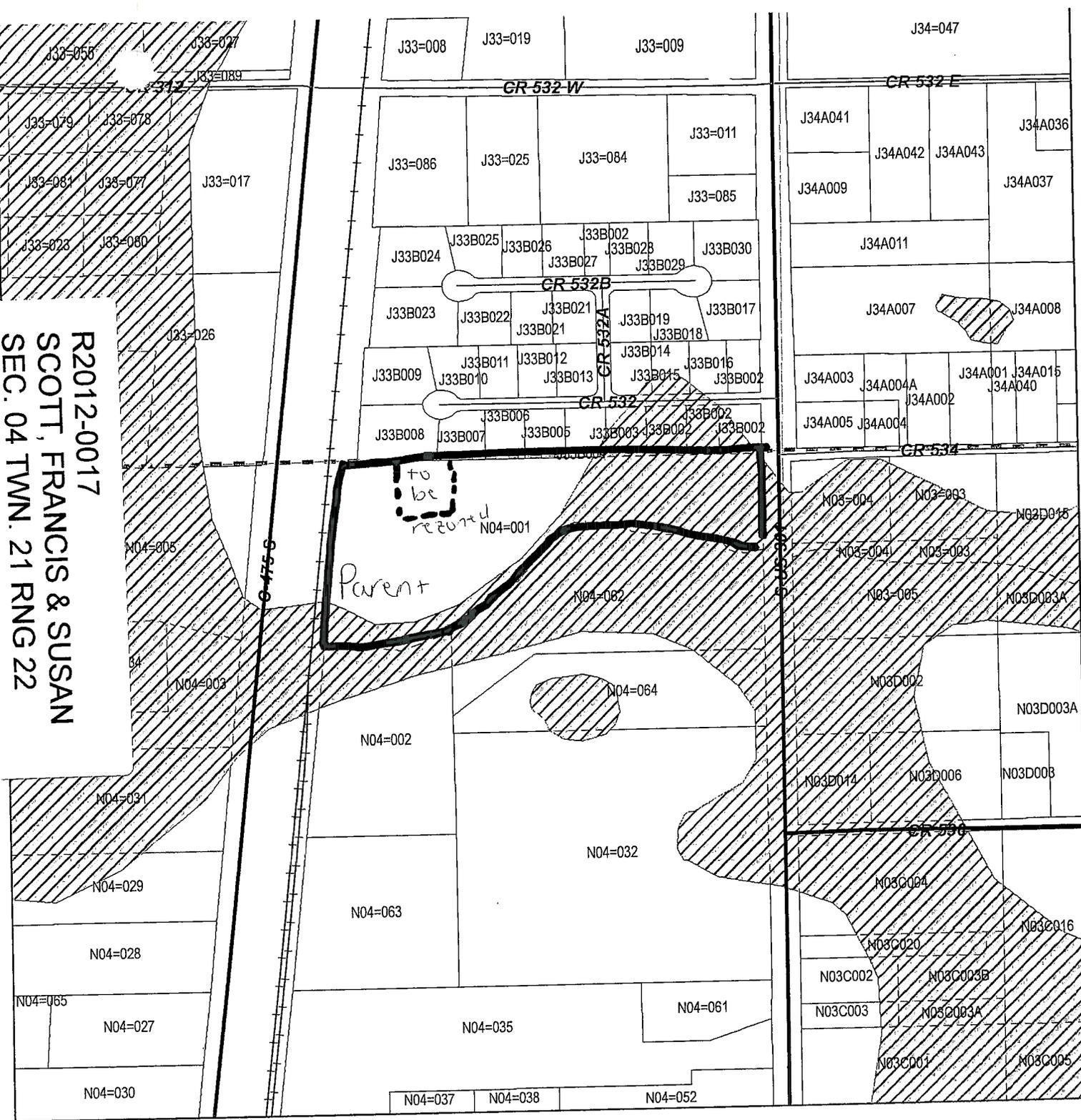
- Legend**
-  FloodZoneDraft
 -  Parcels
 -  Parcel Pin #'s
 -  Florida Counties



1 inch = 0.28 miles

June 21, 2012

R2012-0017
 SCOTT, FRANCIS & SUSAN
 SEC. 04 TWN. 21 RNG 22



- Legend**
-  FloodZoneDraft
 -  Parcels
 -  Parcel Pin #'s
 -  Florida Counties



1 inch = 0.09 miles

Date Prepared: June 21, 2012

18.50

Inst:201260019466 Date:6/22/2012 Time:10:30 AM
Doc Stamp-Deed:0.00
DC:Gloria R. Hayward,Sumter County Page 1 of 2 B:2463 P:437

WARRANTY DEED

WARRANTY DEED, made this 22nd day of June , 2012
by and between:
Francis B. and Susan L. Scott, Husband and Wife,
P.O. Box 611, Bushnell, FL 33513, Sumter County.

("grantor(s)", and
Jonathan K. and Amanda N. Jones, Husband and Wife,
P.O. Box 1091, Bushnell, FL 33513

The Grantee(s)
THE GRANTOR, for and in consideration of the sum of:
Love and Affection

DOLLARS ~~(\$40~~ ~~love & affection~~), the receipt and sufficiency of which is hereby
Acknowledged and received, and for other good and valuable consideration, does hereby grant,
bargain, sell and convey unto the grantee his/her heirs and assigns, the following described
premises located in the County of Sumter

State of Florida, described as follows (enter legal description):

The West 210.00 feet of the East 1185.00 feet of the North 420.00 feet of the NE 1/4 of Section 4,
Township 21 South, Range 22 East, Sumter County, Florida; TOGETHER WITH an easement for
ingress, egress and utilities over and across the North 50.00 feet of the East 1185.00 feet of the NE 1/4
of Section 4, Township 21 South, Range 22 East, Sumter County, Florida, LESS right-of-way for U.S. 301
Highway 301 across the East side of said easement.

"This conveyance creates a family exemption parcel which is subject to all regulations and restrictions as
set forth in Section 13-308(a)(1) of the Sumter County Code."

Subsequent to 2012 Tax Year being paid.

Inst:201260019466 Date:6/22/2012 Time:10:30 AM
Doc Stamp-Deed:0.00
DC,Gloria R. Hayward,Sumter County Page 2 of 2 B:2463 P:438

Also known as street and number 4004 S. U.S. Highway 301, Bushnell, FL 33513
Tax Parcel ID# N04=001

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee his/her heirs and assigns forever. Grantors covenant with the Grantee that the Grantors are now seized in fee simple absolute of said premises; that the Grantors have full power to convey same; that the same is free from all encumbrances excepting those set forth above; that the Grantee shall enjoy the same without any lawful disturbance; that the Grantors will, on demand, execute and deliver to the Grantee, at the expense of the Grantors, any further assurance of the same that may be reasonably required, and, with the exceptions set forth above, that the Grantors warrant to the Grantee and will defend for him/her all the said premises against every person lawfully claiming all or any interest in same, subject to real property taxes accrued by not yet due and payable and any other covenants, conditions, easements, rights of way, laws and restrictions of record.

X Francis B. Scott
Print Name Francis B. Scott
Capacity Grantor

X Jonathan K. Jones
Print Name Jonathan K. Jones
Capacity Grantee

X Susan L. Scott
Print Name Susan L. Scott
Capacity Grantor

X Amanda N. Jones
Print Name Amanda N. Jones
Capacity Grantee

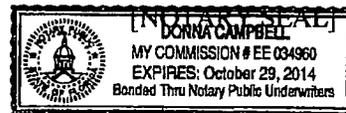
X Donna Campbell
Print Name DONNA CAMPBELL
Capacity Witness

X Marlene Hall
Print Name MARLENE HALL
Capacity Witness

STATE OF Florida)
COUNTY OF Sumter)

The foregoing instrument was acknowledged before me, Francis B. Scott, Susan L. Scott, Jonathan K. Jones, + Amanda N. Jones
a notary public in the State of Florida by Donna Campbell
on the 22 day of JUNE, 2012.

Witness my hand and seal
Donna Campbell
NOTARY PUBLIC DONNA CAMPBELL
My commission expires _____



This Document Was Prepared by:
Jonathan Kyle Jones
P.O. Box 1091
Bushnell, FL 33513

Mail Deed and Tax Statement To:
Jonathan and Amanda Jones
P.O. Box 1091
Bushnell, FL 33513