

**SMALL SCALE SUMTER COUNTY COMPREHENSIVE PLAN AMENDMENT
APPLICATION**

DATE: January 15, 2013
CASE NUMBER: SS2013-0001
APPLICANT: Sumter County Board of County Commissioners
OWNER: Sumter County Board of County Commissioners

LEGAL DESCRIPTION: BEG AT SW COR OF SE 1/4 OF NE 1/4 RUN N 395 FT E 197.50 FT S 220.56 FT E 197.50 FT S 174.44 FT W 395 FT TO THE POB

ELEMENTS: Future Land Use Map and Future Land Use Element

PROPOSED CHANGE:

<u>Current Future Land Use Designation</u>	<u>Acres</u>	<u>Proposed Future Land Use Designation</u>
Recreation	2.58 MOL	Rural Residential

GENERAL DESCRIPTION AND BACKGROUND

The applicant is requesting a Small Scale Future Land Use Amendment from Recreation to Rural Residential and a rezoning from Rural Residential to RR1C. The subject property consists of a 2.58-acre MOL parcel within the Cherry Hill neighborhood of unincorporated Sumter County. It is located on the north side of CR 100B approximately ¼ mile west of CR 100. The subject property was previously utilized as a public park. The property has been surplused. This amendment will allow the redevelopment of the property to a productive use consistent with the surrounding rural residential neighborhood. The Rural Residential Future Land Use Category is consistent with the proposed use. This small scale land use amendment request is concurrent with zoning application R2013-0001. See Map 1 for project location.

SURROUNDING LAND USE AND ZONING

Adjacent Property	Future Land Use Map Designations	Current Use
North	Agriculture	Single family residence
East	Agriculture	Mobile home
South	Agriculture	Single family residence
West	Agriculture	Vacant acreage

The subject property is located within a residential neighborhood. Surrounding land uses include mobile homes, single-family residences, and vacant properties. The proposed land use amendment is consistent with adjacent land uses (Map 2).

LAND USE SUITABILITY

Urban Sprawl

The subject property is located outside the Urban Development Area boundary in an area of mixed rural residential and agricultural uses. The proposed amendment does not display the sprawl indicators as identified in Florida Statutes Chapter 163.3177.9(a) and meets four of the sprawl test criteria in Florida Statutes Chapter 163.3177.9(b) (Attached).

Environmental Resources

The subject property is developed. The natural resources on the site have been highly impacted by the residential use. There are no wetlands on site and it is not located within the 100-year floodplain.

Historic Resources

The subject property has been highly altered and is unlikely to contain historic resources. This location does not appear on the Master Site File of Historic Resources.

Population and Housing

The proposed amendment will not impact the availability of housing.

CONCURRENCY ANALYSIS

Potable Water & Sewer

The existing residence utilizes on-site well and septic. The proposed land use amendment will not affect the availability of these utilities.

Stormwater Drainage

All development must conform to County and South West Florida Water Management District regulations for stormwater systems.

PROPOSED AMENDMENT TO THE TEXT OF THE COMPREHENSIVE PLAN

This proposed amendment does not affect the text of the Comprehensive Plan.

PROPOSED AMENDMENT TO THE CAPITAL IMPROVEMENTS PLAN

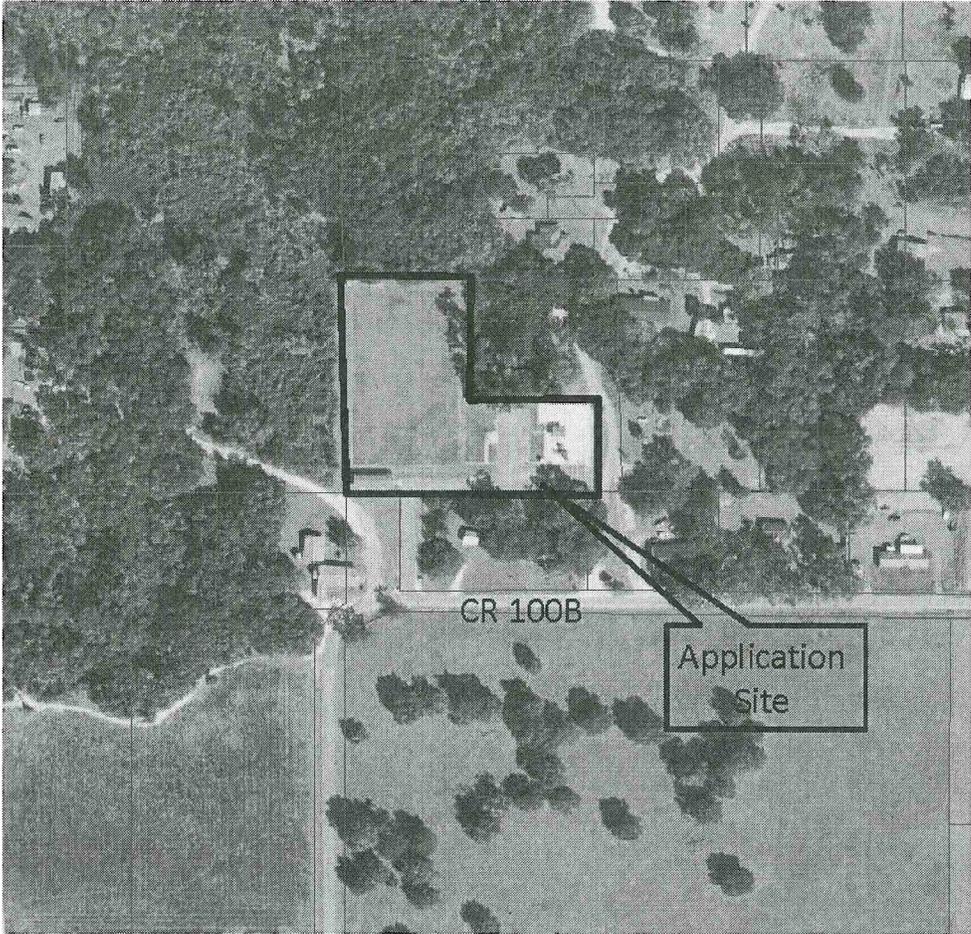
This proposed amendment does not affect the Capital Improvements program as outlined in the Sumter County Comprehensive Plan.

Notices Sent: 8 (In objection) (In favor) 1 _____

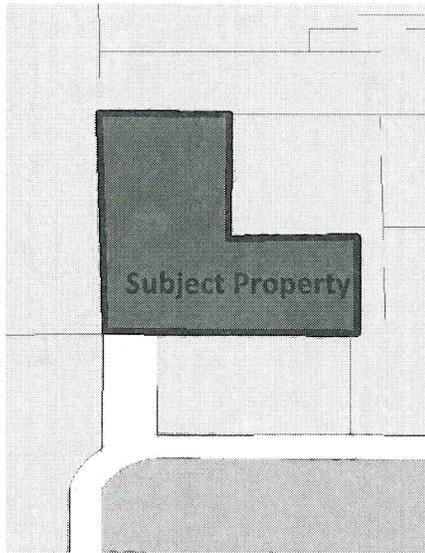
Zoning & Adjustment Board Recommendation: Approval (5-0) _____

Board of County Commissioners Recommendation: _____

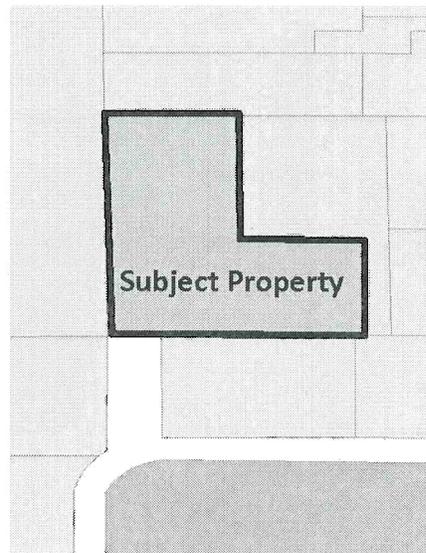
Map 1
Project Location
SS2013-0001



Map 2
Future Land Use Map
SS2013-0001



Existing Future Land Use Designations



Proposed Future Land Use Designations

-  Agriculture
-  Recreation
-  Rural Residential

Attachment
URBAN SPRAWL ANALYSIS

The Community Planning Act (Florida Statutes Chapter 163) requires future land use amendments include an analysis to determine whether the proposed amendment contributes to urban sprawl. The proposed land use amendment does not display the sprawl indicators as identified in Florida Statutes Chapter 163.3177.9.a and listed below.

- I. Promotes, allows, or designates for development substantially areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses. **The proposed amendment affects less than three acres, an insubstantial area of the jurisdiction.**
- II. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development. **The proposed amendment is not urban or of substantial size.**
- III. Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments. **The proposed amendment is not urban or lineal in nature.**
- IV. Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems. **The site is developed. There is no significant native vegetation on site.**
- V. Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils. **The subject property is developed and is not appropriate for agricultural use.**
- VI. Fails to maximize use of existing public facilities and services. **The subject property is served by on-site potable water and sewer. Redevelopment as a residential homesite will not increase the demand for public services.**
- VII. Fails to maximize use of future public facilities and services. **The subject property is served by on-site potable water and sewer. Redevelopment as a residential homesite will not increase the demand for public services.**
- VIII. Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government. **The site is developed. Redevelopment as a residential homesite will not increase the demand for public services.**
- IX. Fails to provide a clear separation between rural and urban land uses. **The amendment recognizes an existing industrial use and does not constitute a new urban land use.**
- X. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities. **The proposed amendment will allow the residential redevelopment of a site within an existing neighborhood.**

- XI. Fails to encourage a functional mix of uses. **The proposed project will allow the continued use and redevelopment of a developed site.**
- XII. Results in poor accessibility among linked or related land uses. **The proposed land use amendment will not affect the accessibility of adjacent lands.**
- XIII. Results in the loss of significant amounts of functional open space. **The former park site has been replaced with other facilities and does not provide a significant amount of functional open space.**

Further, a future land use amendment is required to meet four or more criteria listed in F.S. 163.3177.9.b. The proposed land use amendment meets the following four listed criteria:

- (I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on that protects natural resources and ecosystems. **The subject property has been fully developed and does not contain native vegetation or wetlands. This application will allow redevelopment of a parcel that does not have an adverse impact on natural resources.**
- (II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services. **The proposed amendment will allow redevelopment within an existing residential neighborhood. It will not require expansion of public water and sewer service.**
- (III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit. **The proposed amendment will allow residential redevelopment of a site within a residential neighborhood.**
- (VII) Creates a balance of land uses based upon demands of residential population for the nonresidential needs of an area. **The proposed amendment does not involved nonresidential development.**

SUMTER COUNTY ORDINANCE 2013-

AN ORDINANCE OF SUMTER COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE SUMTER COUNTY COMPREHENSIVE PLAN THROUGH THE SMALL SCALE LAND USE AMENDMENT PROCESS; SETTING FORTH THE AUTHORITY FOR SMALL SCALE AMENDMENT OF THE COMPREHENSIVE PLAN FUTURE LAND USE MAP; SETTING FORTH THE PURPOSE AND INTENT OF THE AMENDMENTS; PROVIDING FOR INTERPRETATION; PROVIDING FOR PROVISIONS, SEVERABILITY AND APPLICABILITY, FILING WITH THE DEPARTMENT OF STATE, EFFECTIVE DATE AND ADOPTION.

WHEREAS, Section 163.3161 et. seq., Florida Statutes established the Community Planning Act; and

WHEREAS, Section 163.3187, Florida Statutes, allows small scale land use amendments to be made to the adopted Comprehensive Plan Future Land Use Map; and

WHEREAS, the Board of County Commissioners of Sumter County, Florida has adopted its Comprehensive Plan pursuant to the Act and has now determined that certain amendments to portions of the Future Land Use Map are needed; and

WHEREAS, the Board has provided for opportunity for written comments, public hearings after public notice, provisions for open discussion, communications programs, and consideration of and response to public comments concerning the proposed amendment to the Comprehensive Plan; and

WHEREAS, the County invited written comment and public participation at scheduled public hearings; and

WHEREAS, Ordinance No. 79-9 adopted by the Board of County Commissioners of Sumter County, Florida, on July 18, 1979, and Ordinance No. 96-23 adopted by the Board of County Commissioners of Sumter County, Florida on December 16, 1996, designated the Sumter

County Zoning and Adjustment Board as the Local Planning Agency for the unincorporated areas of Sumter County, Florida, and set forth the duties and responsibilities of said local planning agency; and

WHEREAS, the Sumter County Local Planning Agency held a public hearing on the proposed Comprehensive Plan Future Land Use Map amendment on February 4, 2013, and considered the findings and advice of all interested parties submitting comments at the public hearing, and recommended approval of the amendment to the Board of County Commissioners of Sumter County; and

WHEREAS, the Board of County Commissioners of Sumter County held a public hearing on the proposed Comprehensive Plan Future Land Use Map amendment on February 12, 2013, and considered the findings and advice of all interested parties submitting comments at the public hearing, and the recommendations of the Local Planning Agency, and upon complete consideration and deliberation, approved the amendment to the Comprehensive Plan Future Land Use Map for adoption, and

WHEREAS, the Board of County Commissioners of Sumter County, Florida has determined that the adoption of the amendment to the Comprehensive Plan is in the best interests of the health, safety and welfare of the citizens of Sumter County, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SUMTER COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Authority.

This Ordinance is adopted in compliance with, and pursuant to the Community Planning Act, Section 163.3161, et. seq., Florida Statutes.

Section 2. Purpose and Intent.

It is hereby declared that the purpose and intent of the adopted amendment is to make the Comprehensive Plan better able to preserve and

enhance present advantages; encourage the most appropriate use of land, water, and resources consistent with the public interest; overcome present handicaps; and deal effectively with future problems which may result from the use and development of land within the unincorporated areas of Sumter County, Florida. Specifically, the amendment changes a land use designation on the Future Land Use Map to Rural Residential. The nature of this change is to provide land use to provide development consistent and complementary with the character of development within the surrounding properties and local area. The change allows the Future Land Use Map to depict land use designations capable of residential development.

Section 3. Adoption of Amendments to Certain Elements of the Comprehensive Plan.

The Future Land Use Element and the Future Land Use Map of the Sumter County Comprehensive Plan are hereby amended as per the amendments attached hereto, and as amended, is the official Comprehensive Plan for the unincorporated area of Sumter County, Florida.

Section 4. Interpretation.

The language and provisions of this ordinance and the Comprehensive Plan, as amended, shall be construed in pari materia with Section 163.3161, et. seq., Florida Statutes. Definitions provided in Section 163.3161, et. seq., Florida Statutes as they apply to interpretation of this ordinance are incorporated herein by reference as the same may from time to time be amended.

Section 5. Severability.

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is for any reason held by any court or other forum of competent jurisdiction to be invalid, the validity of the remaining portions of this code shall continue in full force and effect.

Section 6. Effective Date.

This ordinance shall become effective as provided by law.

ADOPTED this 11th day of
February, 2013

ATTEST: _____

**BOARD OF COUNTY
COMMISSIONERS OF
SUMTER COUNTY**

By: _____
Deputy Clerk

By: _____,
Doug Gilpin, Chairman

ATTACHMENT A

PROPOSED SUMTER COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT

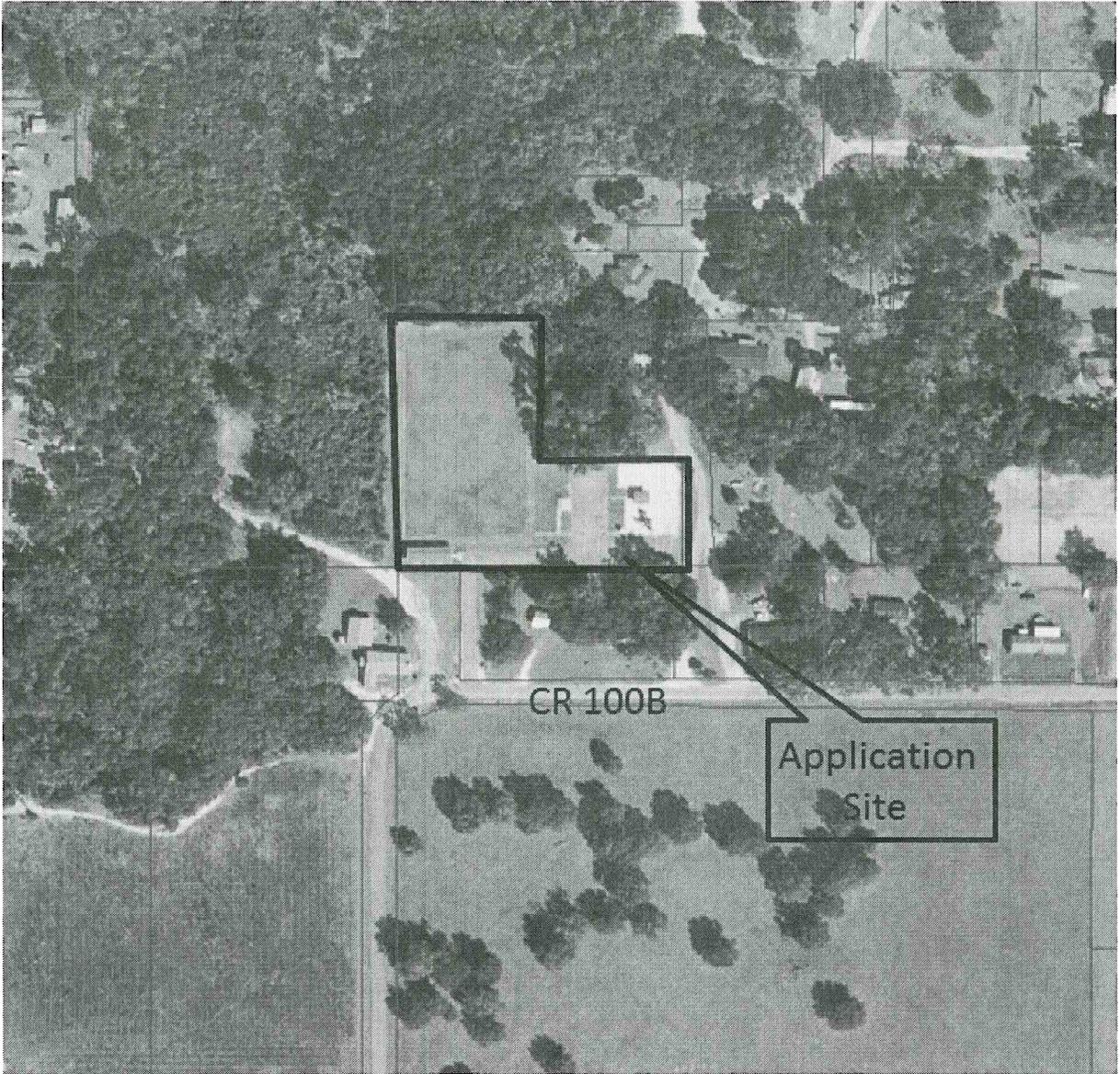
FUTURE LAND USE AMENDMENT: Application SS2013-0001

The Future Land Use Map (FLUM) shall be amended to reflect a change in land use designation for the subject parcel. The subject parcel's current future land use designation, Recreation, shall be changed to a Rural Residential future land use designation on the FLUM.

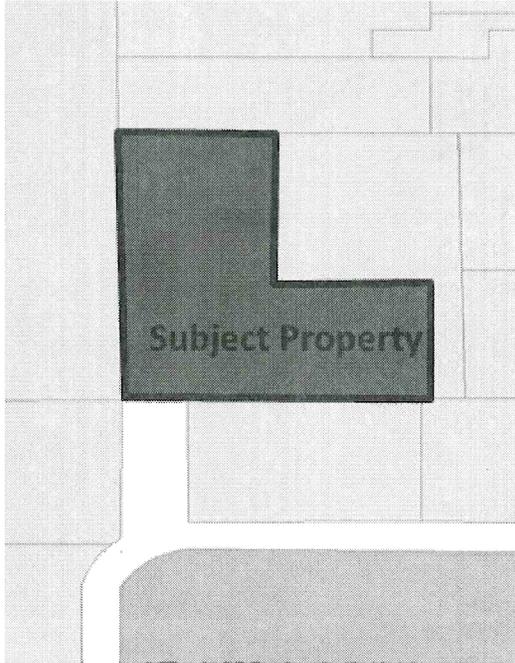
The parcel is described as follows: BEG AT SW COR OF SE1/4 OF NE1/4 RUN N 00DEG 06 MIN 13 SEC W 395 FT N 89 DEG 10 MIN 18 SEC E 197.50 FT S 00 DEG 06 MIN 1 SEC E 220.56 FT N 89 DEG 20 MIN 18 SEC E 197.50 FT S 00 DEG 10 MIN 45 SEC E.

A location map of the subject property is attached as **Map 1**. The Future Land Use Map with the existing land use designation and proposed land use designation shown on the subject parcel is attached as **Map 2**.

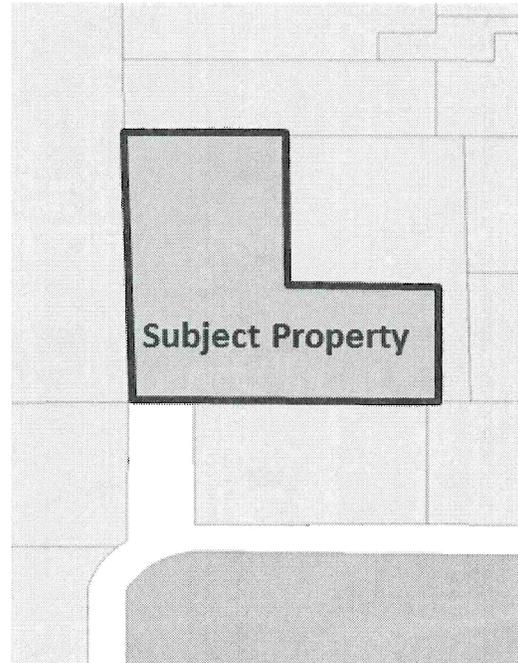
**Map 1, Location
SS2013-0001, Sumter County**



**Map 2, Future Land Use Map
SS2013-001, Sumter County**



**Existing Future Land Use
Designations**



**Proposed Future Land Use
Designations**

-  Agriculture
-  Recreation
-  Rural Residential

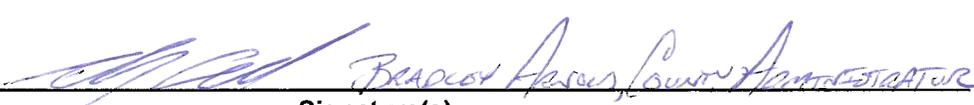


SUMTER COUNTY ZONING AND ADJUSTMENT BOARD

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

SS2013-0001
Project No: ~~SS2012-0005~~
Application: 12/3/2012 KES

SMALL SCALE

PROJECT TYPE SMALL SCALE		PROJECT SUBTYPE		PROJECT DESCRIPTION SMALL SCALE LAND USE CHANGE		
OWNER COUNTY:, SUMTER COUNTY		ADDRESS 7375 POWELL RD STE 206 WILDWOOD, FL 34785		PHONE		
PARCEL # D24=100	SEC/TWP/RNG 241823	GENERAL LOCATION CHERRY LAKE		DIRECTIONS TO PROPERTY PROPERTY IS LOCATED N OF CR 100B APPRX 1/4 MILE W OF CR 100.		
Property Address 8728 CR 100B, Wildwood, FL 34785						
PARCEL SIZE 2.58 ACRES MOL		F.L.U. RECREATION		LEGAL DESCRIPTION BEG AT SW COR OF SE1/4 OF NE1/4 RUN N 00DEG 06 MIN 13 SEC W 395 FT N 89 DEG 10 MIN 18 SEC E 197.50 FT S 00 DEG 06 MIN 1 SEC E 220.56 FT N 89 DEG 20 MIN 18 SEC E 197.50 FT S 00 DEG 10 MIN 45 SEC E 174.44 FT S 89 DEG 10 MIN 18 SEC W 395 FT O THE POB		
PRESENT ZONING RR		PRESENT USE VACANT-FORMER PARK				
REQUESTED USE SMALL SCALE LAND USE CHANGE FROM RECREATION TO RURAL RESIDENTIAL		ACREAGE TO BE UTILIZED 2.58 ACRES MOL		LEGAL DESCRIPTION TO BE UTILIZED BEG AT SW COR OF SE1/4 OF NE1/4 RUN N 00DEG 06 MIN 13 SEC W 395 FT N 89 DEG 10 MIN 18 SEC E 197.50 FT S 00 DEG 06 MIN 13 SEC E 220.56 FT N 89 DEG 20 MIN 18 SEC E 197.50 FT S 00 DEG 10 MIN 45 SEC E 174.44 FT S 89 DEG 10 MIN 18 SEC W 395 FT TO THE POB		
ABUTTING PROPERTY ZONING/USE F.L.U.	NORTH RR-RES AG	EAST RR-MH AG	SOUTH RR-RES AG	WEST RR1-VACANT 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, and my payment of the non-refundable application fee will not influence the decision made on this application.			FEES		Amount	Payment
			RECORDING FEES		0.00	
			POSTAGE FEE		0.00	
			TOTAL		\$0.00	
<p>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.</p>						
 Signature(s)				December 3, 2012 Date		
<p>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.</p>						
Zoning and Adjustment Board		2/4/2013 6:30 PM	Room: Colony Cottage Rec. Center	Action: _____		
County Commission Meeting		2/12/2013 5:30 PM	Room: 142	Action: _____		

NOTICES SENT

RECEIVED IN FAVOR

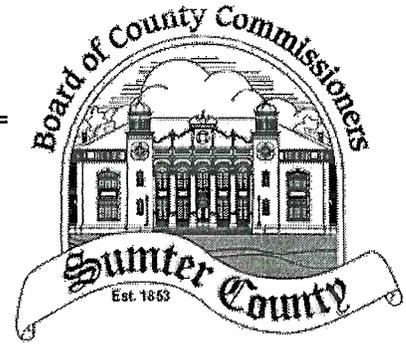
RECEIVED OBJECTING

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.

Board of County Commissioners
Development Services Division

Planning Services

7375 Powell Road, Suite 115 • Wildwood, FL 34785 • Phone (352) 689-4460 • FAX: (352) 689-4461
Website: <http://sumtercountyfl.gov>



NOTICE OF PUBLIC HEARING

January 11, 2013

WALKER ALVERLINDA
1217 CR 216A
OXFORD FL 34484

RECEIVED

JAN 28 2013

SUMTER COUNTY
DEVELOPMENT SERVICES

To **property owners** whose property boundaries are within a distance of 150 feet of the outside perimeter of property in the name of **Sumter County**. This property is being considered for a **land use change and a rezoning** at a public hearing.

CASE# **SS2013-0001 & R2013-0001** to change the land use on **2.58 acres MOL** from **Recreation** to **Rural Residential** and rezone from **RR** to **RR1C (High Density Rural Residential) Zone** which provides a high density rural residential atmosphere for one (1) conventional or Class A mobile home dwelling unit per parcel.

A **public hearing** before the Zoning and Adjustment Board/Local Planning Agency will be held at **Colony Cottage Recreation Center, 510 Colony Blvd, The Villages, Florida 32162** on **Monday, February 4, 2013, at 6:30 p.m.**

The property is located as follows: Cherry Lake area: West on CR 100B. The property is located approximately 1150' west side of CR 100.

The recommendations of the Zoning and Adjustment Board will be presented to the Sumter Board of County Commissioners at a public hearing to be held at **910 N. Main Street, Room 142, Bushnell, FL** on **Tuesday, February 12, 2013, at 5:30 p.m.**

Written comments submitted will be heard. Hearings may be continued from time to time as found necessary. Please return this form to: SUMTER COUNTY PLANNING DEPARTMENT, 7375 Powell Road, Ste. 115, Wildwood, FL 34785. Questions should be directed to the Planning Department at (352)689-4460.

I approve of the above.
 I do not approve of the above for the following reason(s): _____

Please return no later than: **January 25, 2013** RE: CASE# **SS2013-0001 & R2013-0001**.