

**Meeting Notice is posted per Florida Statute,  
violators who remove this agenda could be prosecuted.**



**AGENDA  
PLANNING AND ZONING BOARD  
CITY OF WEBSTER**

Webster City Hall, 85 E. Central Avenue  
January 11, 2023 - 6:00 P.M.

**I. CALL TO ORDER**

Pledge of Allegiance, Invocation  
Roll Call and Determination of Quorum

*Note. All public comment will be limited to 3 minutes per speaker. Anyone wishing to speak during citizen's forum or on an agenda item must fill out a speaker card and present it to the City Clerk prior to being recognized. All comments will be addressed after all speakers have spoken during citizen's forum or on a particular agenda item.*

**II. APPROVAL OF MINUTES**

Planning & Zoning – November 9, 2023  
M\_\_\_\_\_ S\_\_\_\_\_ Roll Call Vote

**III. PUBLIC HEARING**

Approval of Ordinance 2024-01 Comp Plan Amendment-Parcel ID N36-101, N36-219-Wintersteen  
M\_\_\_\_\_ S\_\_\_\_\_ Roll Call Vote

Approval of Ordinance 2024-02 Rezoning-Parcel ID N36-101, N36-219-Wintersteen  
M\_\_\_\_\_ S\_\_\_\_\_ Roll Call Vote

Approval of Ordinance 2024-03 Comp Plan Amendment-Parcel ID T07-050-Thornton  
M\_\_\_\_\_ S\_\_\_\_\_ Roll Call Vote

Approval of Ordinance 2024-04 Rezoning-Parcel ID T07-050-Thornton  
M\_\_\_\_\_ S\_\_\_\_\_ Roll Call Vote

Approval of Ordinance 2024-05 Interlocal Service Boundary Amendment  
M\_\_\_\_\_ S\_\_\_\_\_ Roll Call Vote

**IV. ADJOURNMENT**

M\_\_\_\_\_ S\_\_\_\_\_ Roll Call Vote

PLEASE NOTE IN ACCORDANCE WITH FLORIDA STATUTE 286.105, ANY PERSON WHO DESIRES TO APPEAL ANY DECISION AT THIS MEETING WILL NEED A RECORD OF THE PROCEEDINGS AND FOR THIS PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED. ALSO, IN ACCORDANCE WITH FLORIDA STATUTE 286.26; PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THE PROCEEDINGS SHOULD CONTACT THE OFFICE OF THE CITY CLERK; 85 E. CENTRAL AVENUE; WEBSTER, FLORIDA; (352) 793-2073; 48 HOURS IN ADVANCE.



## **MINUTES**

### **CITY OF WEBSTER**

City Hall, 85 E Central Avenue

November 9, 2023

Planning and Zoning Meeting

6:00 P.M.

#### **I. CALL TO ORDER**

Chairwoman Yost called the meeting of the City of Webster Planning and Zoning Board to order at 6:00p.m. Present were board members: Kristin Green, Sandra McClanahan, and Chairwoman Diana Yost. Board Members Darrell Elliott and Shadae Solomon were absent.

#### **II. APPROVAL OF THE MINUTES**

Board Member Green made a motion for approval of the minutes for October 12, 2023, seconded by Board Member McClanahan.

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member McClanahan-Yes

Motion passed 3-0

#### **III. PUBLIC HEARING**

Board Member McClanahan made a motion for approval of Ordinance 2023-27 Annexation-Parcel ID T07-050-Geri and Tyrus Thornton, seconded by Board Member Green.

County Planner Sue Farnsworth apprised board members about the Ordinance.

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member McClanahan-Yes

Motion passed 3-0

Board Member Green made a motion for approval of the variance for setback for donated property to Habitat for Humanity, seconded by Board Member McClanahan.

County Planner Sue Farnsworth apprised board members about the Ordinance.

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member McClanahan-Yes

Motion passed 3-0

#### **IV. ADJOURNMENT**

Board Member McClanahan made a motion to adjourn, seconded by Board Member Green.

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member McClanahan-Yes

Motion passed 3-0

Meeting adjourned at 6:14 P.M.

\_\_\_\_\_  
Deanna Naugler, City Manager

Attest:

\_\_\_\_\_  
Amy Flood, City Clerk

## ORDINANCE NO. 2024-01

AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA AMENDING THE CITY OF WEBSTER COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED; PROVIDING FOR AMENDMENT OF THE FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT OF THE CITY OF WEBSTER COMPREHENSIVE PLAN RELATIVE TO CERTAIN REAL PROPERTY, APPROXIMATELY 14 ACRES (TAX PARCEL IDENTIFICATION NUMBERS N36-101 AND N36-219), AND DESCRIBED IN THIS ORDINANCE FROM THE COMMERCIAL FUTURE LAND USE DESIGNATION (COUNTY) TO THE COMMERCIAL FUTURE LAND USE DESIGNATION (WEBSTER); PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ASSIGNMENT OF THE LAND USE DESIGNATION FOR THE PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR RATIFICATION OF PRIOR ACTS OF THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION AND DIRECTIONS TO THE CODE CODIFIER AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, John and Alice Wintersteen, mailing address: 2484 E C-478, Webster FL 33597 (Tax Parcel Identification Number N36-219); and Reinaldo Rose, mailing address 7015 Howard Ave, Tampa, FL 33606 (Tax parcel N36-101) are the owners of the property which is the subject of this Ordinance; and

**WHEREAS**, The real property, totaling 14 +/- acres in size, is located on the north side of E C-478; and

**WHEREAS**, John and Alice Wintersteen owned the subject property, both parcels N36-101 and N36-219, in February 2023 when they initiated voluntary annexation into the municipal limits of the City of Webster, Florida.; and

**WHEREAS**, The City Manager of the City of Webster pursuant to the controlling provisions of State law and the Code of Ordinances of the City of Webster, is petitioning to have the subject property reassigned from the Commercial (County) future land use designation to the Commercial future land use designation;

**WHEREAS**, the City Council of the City of Webster, Florida has taken, as



implemented by City staff, all actions relating to the approval action set forth herein in accordance with the requirements and procedures mandated by State law.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF WEBSTER, FLORIDA:**

**SECTION 1. LEGISLATIVE FINDINGS AND INTENT.**

(a). The City Council of the City of Webster hereby adopts and incorporates into this Ordinance the City staff report and City Council agenda memorandum relating to the application relating to the proposed amendment to the *City of Webster Comprehensive Plan* pertaining to the subject property.

(b). The City of Webster has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

(c). This Ordinance is internally consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Webster* and the proposed *Comprehensive Plan* amendment does not trigger any urban sprawl indicators and adoption of this amendment will discourage the proliferation of urban sprawl within the City of Webster.

(d). Public services are available to the real property which is the subject of this Ordinance.

(e). The exhibits to this Ordinance are incorporated herein as if fully set forth herein verbatim.

**SECTION 2. AMENDMENT TO FUTURE LAND USE MAP.**

(a). The Future Land Use Plan Element of the *Comprehensive Plan of the City*

of Webster and the City's Future Land Use Map are hereby amended by changing the land use designation from the Commercial (County) land use designation to the Commercial land use designation regarding the real property which is the subject of this Ordinance as set forth herein (Attachment 1).

(b). The property which is the subject of this *Comprehensive Plan* amendment is as described as provided in Attachment 2:

**SECTION 4. CONFLICTS.** All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

**SECTION 5. SEVERABILITY.** If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

**SECTION 6. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER.** It is the intention of the City Council of the City of Webster, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of the City of Webster Comprehensive Plan and/or the Code of Ordinances of the City of Webster, Florida in terms of amending the Future Land Use Map of the City.

**SECTION 7. EFFECTIVE DATE** The small scale *Comprehensive Plan* amendment set forth herein shall not become effective, in accordance with Section 163.3187, *Florida Statutes*, until 31 days after the enactment of this Ordinance. If challenged within 30 days after enactment, the small scale amendment set forth in this Ordinance shall not become effective until the State land planning agency or the

Administration Council, respectively, issues a final order determining that the subject large scale amendment is in compliance with controlling State law.

**PASSED AND ENACTED this 15th day of February, 2024.**

**CITY COUNCIL OF THE CITY OF  
WEBSTER, FLORIDA**

\_\_\_\_\_  
**Bobby Yost, Mayor**

**ATTEST:**

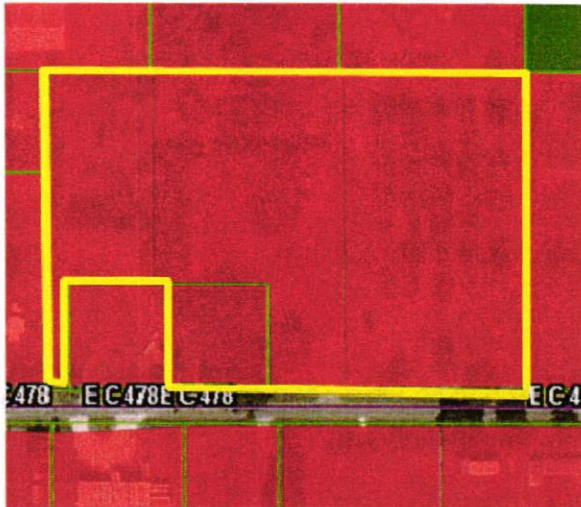
**Approved as to form and Legality:**

\_\_\_\_\_  
**Amy Flood  
City Clerk**

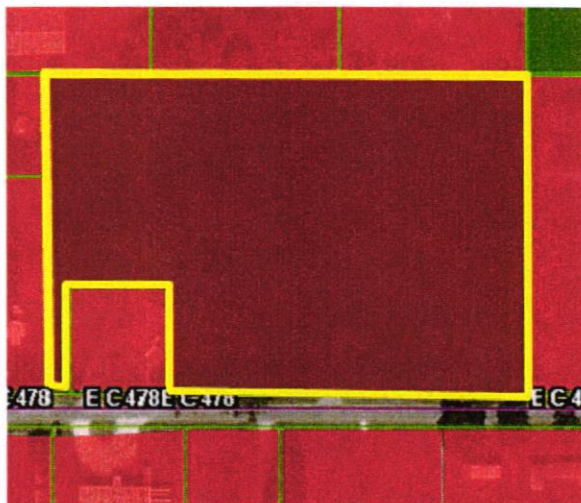
\_\_\_\_\_  
**William L. Colbert  
City Attorney**

# ATTACHMENT 1

## Future Land Use Map



Existing Future Land  
Use Designations



Proposed Future Land  
Use Designations

-  Commercial (County)
-  Commercial (City)
-  Recreation (City)

ATTACHMENT 2  
Legal Description

**Parcels N36-219 AND N36-101**

IN SEC 36, TWP 21S, RNG 22E:

THE E 530 FT OF THE SW  $\frac{1}{4}$  OF THE NW  $\frac{1}{4}$  OF THE SE  $\frac{1}{4}$ ;

AND

THE EAST 463 FT OF THE SE  $\frac{1}{4}$  OF THE NE  $\frac{1}{4}$  OF THE SW  $\frac{1}{4}$

LESS

BEG AT NE COR OF NE $\frac{1}{4}$  OF SW $\frac{1}{4}$  RUN W 270.59 FT S 1289.58 FT TO POB RUN W  
173.14 FT N 210 FT E 210 FT S 210 FT W 36.86 FT TO POB



**CITY OF WEBSTER**  
**SMALL SCALE COMPREHENSIVE PLAN AMENDMENT**

**PLANNING & ZONING**  
**JANUARY 11, 2024**

**CITY COUNCIL**  
**JANUARY 18, 2024**  
**FEBRUARY 15, 2024**

**CASE NUMBER:** SS-23-18816

**LANDOWNER:** Alice and John Wintersteen, and Reinaldo Rose

**APPLICANT:** City of Webster

**REQUESTED ACTION:** A small scale land use amendment on 14 acres MOL to change the future land use assignment from County – Commercial to City of Webster – Commercial following annexation.

**PARCEL NUMBER:** N36-101 and N36-219

**LEGAL DESCRIPTION:** See Attachment 1.

**PARCEL SIZE:** 14 acres MOL

**LOCATION:** North side of E C-478, 400-foot east of CR 733 (Map 1).

**GENERAL DESCRIPTION AND BACKGROUND**

This land use amendment is being initiated by staff in conjunction with voluntary annexation into the City. This amendment will add the property to the City's Future Land Use Map with a Commercial future land use assignment (Map 2) consistent with the Webster Joint Planning Area Agreement land use map. The property has a single family residence. A portion of the property is in use as parking for the flea markets. The property is currently designated Commercial on the County Future Land Use Map. The surrounding properties are also designated Commercial on the County future land use map. This amendment will allow for continued commercial use. The surrounding area is commercial in nature.

## **LAND USE SUITABILITY**

### Urban Sprawl

The proposed amendment displays none of the sprawl indicators as identified in Florida Statutes Chapter 163.3177.9(a) and meets four (4) of the sprawl test criteria in Florida Statutes Chapter 163.3177.9(b) (Attachment 2).

### Environmental Resources

The property has been highly impacted by residential and commercial uses and does not contain significant natural resources.

### 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

Water and sewer service is available in the area. Connection will be required at the time of redevelopment.

### Stormwater Drainage

All development must conform to Southwest Florida Water Management District regulations for stormwater systems.

## **CONSISTENCY WITH POLICIES OF THE COMPREHENSIVE PLAN**

The proposed amendment is consistent with the following policies of the Unified Comprehensive Plan:

### **Policy 1.2.9 General Commercial**

The "General Commercial" future land use category is applied to land suitable for commercial activity with access from an arterial or collector road. Residential uses may be allowed secondarily to a principle commercial use. Residential uses are limited to an owner/operator/manager unit, or dwellings integrated into a mixed-use commercial development (i.e. mixed-use structures, upper flats, and loft apartments). Central water and sewer shall be utilized when available.

- a. General commercial may be located within or outside the UDA;
- b. The maximum floor area ratio when located within a Primary Economic Activity Center is 0.7;
- c. The maximum floor area ratio when located inside the UDA boundary is 0.5; and

- d. The maximum floor area ratio when located outside the UDA is 0.3.

*The subject property is located in a commercial area along a collector road. It is currently in use as commercial parking for the flea markets. There is water and sewer service available. The property is suitable for continued commercial use.*

**Future Land Use Policy 1.3.8 Compatibility for Rezoning and Amendments**

Proposed rezonings and future land use amendments shall be compatible with adjacent land uses and community character. Compatibility shall be achieved through the following measures:

- a. Rezoning and future land use amendments shall consider potential maximum impacts of the potential land uses; and

*The requested future land use assignment is consistent with the surrounding commercial neighborhood and will allow for continued commercial use.*

- b. The use of clustering, PUD, or other innovative development techniques shall be considered to assure the compatible transition between differing land uses and zoning districts.

*PUD development is an option when the property is redeveloped.*

**PROPOSED AMENDMENT TO THE TEXT OF THE COMPREHENSIVE PLAN**

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

**PROPOSED AMENDMENT TO THE CAPITAL IMPROVEMENTS PLAN**

The proposed amendment does not affect the City's Capital Improvements program.

**CONCLUSIONS**

Staff deemed the application sufficient for review. Staff has found the request in compliance with the minimum requirements of the Webster County Land Development Code and Comprehensive Plan and recommends approval of the petition.

**Notices Sent: 19**

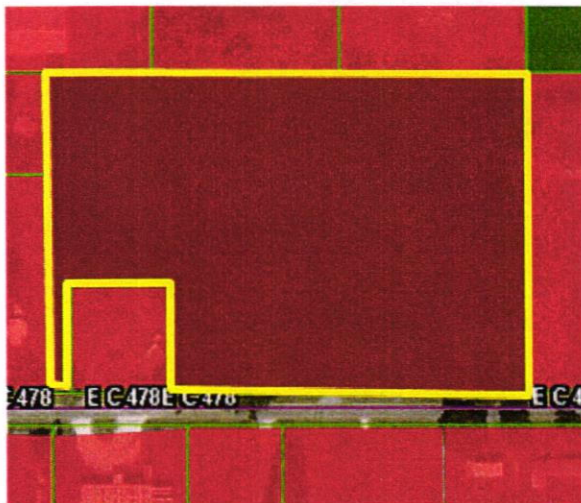


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## Future Land Use Map



Existing Future Land  
Use Designations



Proposed Future Land  
Use Designations

-  Commercial (County)
-  Commercial (City)
-  Recreation (City)



Attachment 1

**Parcels N36-219 AND N36-101**

IN SEC 36, TWP 21S, RNG 22E:

THE E 530 FT OF THE SW  $\frac{1}{4}$  OF THE NW  $\frac{1}{4}$  OF THE SE  $\frac{1}{4}$ ;

AND

THE EAST 463 FT OF THE SE  $\frac{1}{4}$  OF THE NE  $\frac{1}{4}$  OF THE SW  $\frac{1}{4}$

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173.14 FT N 210 FT E 210 FT S 210 FT W 36.86 FT TO POB

## Attachment 2 URBAN SPRAWL ANALYSIS

The Community Planning Act (Florida Statutes Chapter 163) requires future land use amendments to 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 project site does not make up a substantial part of the City.**
- 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 subject property is an infill project within an existing, vested, residential neighborhood. The property does not makeup a substantial part of the City.**
- III. Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments. **The proposed amendment will allow infill development of an existing, vested lot and will not promote radial, strip, isolated, or ribbon development patterns.**
- 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 subject property does not contain significant native vegetation and does not include any Special Flood Hazard Areas.**
- 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 proposed land use change will have no impact on Agricultural uses.**
- VI. Fails to maximize use of existing public facilities and services. **The subject property will be required to connect to City utilities when they become available**
- VII. Fails to maximize use of future public facilities and services. **The subject property will be required to connect to City utilities when they become available**
- 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. Fails to provide a

clear separation between rural and urban land uses. **The proposed land use amendment will not disproportionately increase the cost of public services in the area.**

- IX. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities. **The requested amendment is an infill project.**
- X. Fails to encourage a functional mix of uses. **The proposed amendment will not discourage a functional mix of uses.**
- XI. Results in poor accessibility among linked or related land uses. **The proposed land use amendment will not affect the accessibility of adjacent lands.**
- XII. Results in the loss of significant amounts of functional open space. **The subject property does not impact functional open space.**

Further, a future land use amendment is required to meet four or more criteria listed in FS 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 does not contain significant native vegetation.**
- (V) Preserves Agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils. **The proposed amendment will not affect agricultural areas.**
- (V) Creates a balance of land uses based upon demands of residential population for the nonresidential needs of an area. **The land use change will not significantly affect the mixture of land uses.**
- (VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area. **The requested amendment will maintain the balance of land uses and allow use of a vested, residential lot.**

## ORDINANCE NO. 2024-02

**AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA PROVIDING FOR THE REZONING OF REAL PROPERTY TOTALING 14 ACRES, MORE OR LESS, IN SIZE (TAX PARCEL IDENTIFICATION NUMBERS N36-101 AND N36-219) WITHIN THE CITY LIMITS (MAP OF PROPERTY ATTACHED) TO CL, LIGHT COMMERCIAL ZONING DISTRICT; PROVIDING FOR THE TAKING OF IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR THE ADOPTION OF A MAP BY REFERENCE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, John and Alice Wintersteen, mailing address: 2484 E C-478, Webster FL 33597 (Tax Parcel Identification Number N36-219); and Reinaldo Rose, mailing address 7015 Howard Ave, Tampa, FL 33606 (Tax Parcel N36-101) are the owners of the property which is the subject of this Ordinance; and

**WHEREAS**, The real property, totaling 14 +/- acres in size, is located on the north side of E C-478 (Map); and

**WHEREAS**, John and Alice Wintersteen owned the subject property, both parcels N36-101 and N36-219, in February 2023 when they initiated voluntary annexation into the municipal limits of the City of Webster, Florida.; and

**WHEREAS**, The City Manager of the City of Webster pursuant to the controlling provisions of State law and the Code of Ordinances of the City of Webster, is petitioning to have the subject property reassigned from the RR1 (Rural Residential -County) zoning assignment to the CL (Light Commercial) zoning assignment;

**WHEREAS**, the City Council of the City of Webster, Florida has taken, as

implemented by City staff, all actions relating to the approval action set forth herein in accordance with the requirements and procedures mandated by State law.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF WEBSTER, FLORIDA:**

**SECTION 1. LEGISLATIVE FINDINGS AND INTENT.**

(a). The City Council of the City of Webster hereby adopts and incorporates into this Ordinance the City staff report as well as the recitals (whereas clauses) to this Ordinance.

(b). The subject property, which is 14 acres MOL in size, is located on the north side of E C-478 (Tax Parcel Numbers N36-219 and N36-101). The legal description of the subject property is provided in Attachment A.

(c). The City of Webster has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

**SECTION 2. REZONING OF REAL PROPERTY/IMPLEMENTING ACTIONS.**

(a). Upon enactment of this Ordinance the following described property, as depicted in Attachment A of this Ordinance, and totaling 14 acres MOL in size, shall be rezoned from RR1(County) zoning districts/classification to CL zoning district/classification.

(b). The City Manager, or designee, is hereby authorized to execute any and all documents necessary to formalize approval of the rezoning action taken herein and to revise and amend the Official Zoning Map or Maps of the City of Webster as may be appropriate to accomplish the action taken in this Ordinance.



**SECTION 3. INCORPORATION OF MAP.** The map attached to this Ordinance as the Attachment is hereby ratified and affirmed and incorporated into this Ordinance as a substantive part of this Ordinance.

**SECTION 4. CONFLICTS.** All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

**SECTION 5. SEVERABILITY.** If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

**SECTION 6. NON-CODIFICATION.** This Ordinance shall not be codified in the *City Code of the City of Webster* or the *Land Development Code of the City of Webster*; provided, however, that the actions taken herein shall be depicted on the zoning maps of the City of Webster by the City Manager, or designee.

**SECTION 7. EFFECTIVE DATE** This Ordinance shall take effect immediately upon enactment provided, however, that the rezoning of property herein set forth shall not take effect until Ordinance Number 2024-01 relating to the Comprehensive amendment becomes effective.

**PASSED AND ENACTED this 15th day of February, 2024.**

**CITY COUNCIL OF THE CITY OF  
WEBSTER, FLORIDA**

\_\_\_\_\_  
**Bobby Yost, Mayor**

**Approved as to form and Legality:**

*ATTEST:*

\_\_\_\_\_  
**Amy Flood  
City Clerk**

\_\_\_\_\_  
**William L. Colbert  
City Attorney**

**Attachment A  
Legal Description**

**Parcels N36-219 AND N36-101**

IN SEC 36, TWP 21S, RNG 22E:

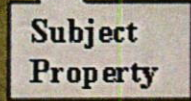
THE E 530 FT OF THE SW  $\frac{1}{4}$  OF THE NW  $\frac{1}{4}$  OF THE SE  $\frac{1}{4}$ ;

AND

THE EAST 463 FT OF THE SE  $\frac{1}{4}$  OF THE NE  $\frac{1}{4}$  OF THE SW  $\frac{1}{4}$

LESS

BEG AT NE COR OF NE $\frac{1}{4}$  OF SW $\frac{1}{4}$  RUN W 270.59 FT S 1289.58 FT TO POB  
RUN W 173.14 FT N 210 FT E 210 FT S 210 FT W 36.86 FT TO POB



**CITY OF WEBSTER  
REZONING APPLICATION**

**PLANNING & ZONING  
JANUARY 11, 2024**

**CITY COUNCIL  
JANUARY 18, 2024  
FEBRUARY 15, 2024**

**CASE NUMBER:** R-23-018819

**LANDOWNERS:** Alice and John Wintersteen, and Reinaldo Rose

**APPLICANT:** City of Webster

**REQUESTED ACTION:** Rezone 14 acres from RR1 (Rural Residential-County) to CL (Light Commercial-Webster) concurrent with small scale amendment SS-23-18816.

**PARCEL NUMBERS:** N36-101 and N36-219

**LEGAL DESCRIPTION:** See Attachment.

**EXISTING ZONING:** County – RR1 (Rural Residential allowing for mobile homes)

**EXISTING USE:** house and commercial parking

**FUTURE LAND USE:** Commercial (concurrent application)

**PARCEL SIZE:** 14 acres MOL

**LOCATION:** North side of E C-478, 400-foot east of CR 733 (Map 1).

**SURROUNDING LAND USE AND ZONING**

The subject property is located adjacent to the flea markets on C-478, a collector road. It is currently in use as a residential homesite and market parking. The property was annexed into the City in February 2023. Surrounding zoning assignments include



Commercial (CH-County south and east, and CL-County north) and Rural Residential (RR1-County north south and west) (Map 2). The neighborhood is commercial in nature.

### **CASE SUMMARY**

The rezoning will add the property to the City's Zoning Map with a CL (Light Commercial) zoning designation. The CL zoning assignment will allow for a variety of commercial and retail uses where all business activity occurs within a building. It does not allow for outdoor storage or outdoor sales. The property used for flea market parking is vested and can continue under the CL zoning assignment as a nonconforming use.

### **CASE ANALYSIS:**

The request is to adopt City zoning following annexation. This application is concurrent with small scale land use amendment SS-23-18816 which seeks a Commercial Future Land Use assignment.

LDC Section 13-313 (d), *General Administration of Amendment and Permit Applications-Review and Approval Process*, provides for the following review criteria for LDC and zoning map amendments:

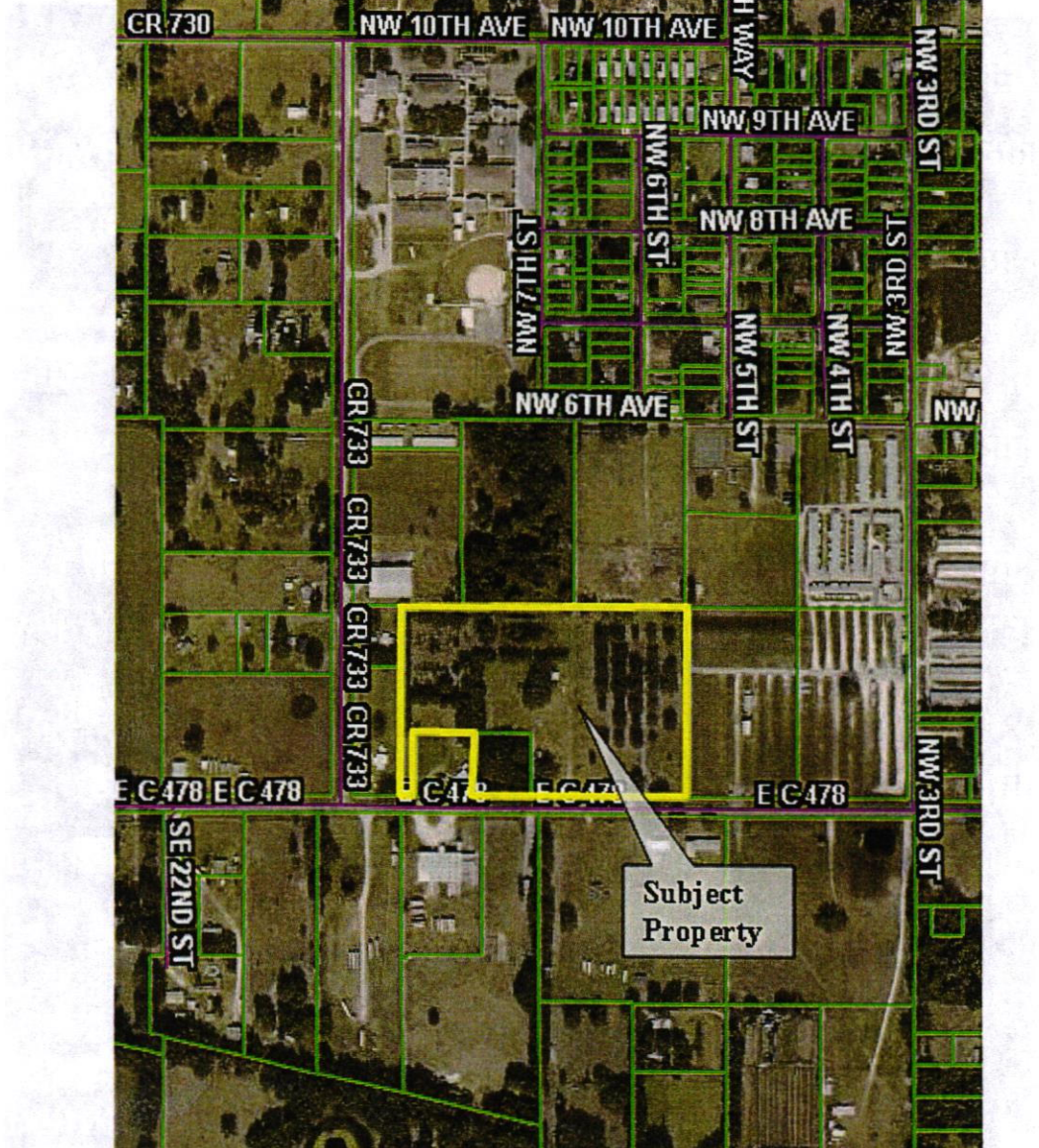
- a) Change of conditions, or absence of changed conditions.  
*The property has been annexed into Webster and needs to be adopted onto the City zoning map.*
- b) Community need, or lack of community need.  
*The requested rezoning will allow commercial redevelopment in a commercial area.*
- c) Benefits to the community.  
*The rezoning will benefit the community by allowing expanded commercial options near the flea markets.*
- d) The rights of private property owners.  
*This rezoning will preserve the existing rights currently in place with County land use and zoning.*

### **DEVELOPMENT SERVICES DEPARTMENT STAFF CONCLUSIONS**

Staff deemed the application sufficient for review. Staff has found the request in compliance with the minimum requirements of the Webster Land Development Code and Comprehensive Plan and recommends approval contingent upon approval of future land use amendment SS-23-18816.

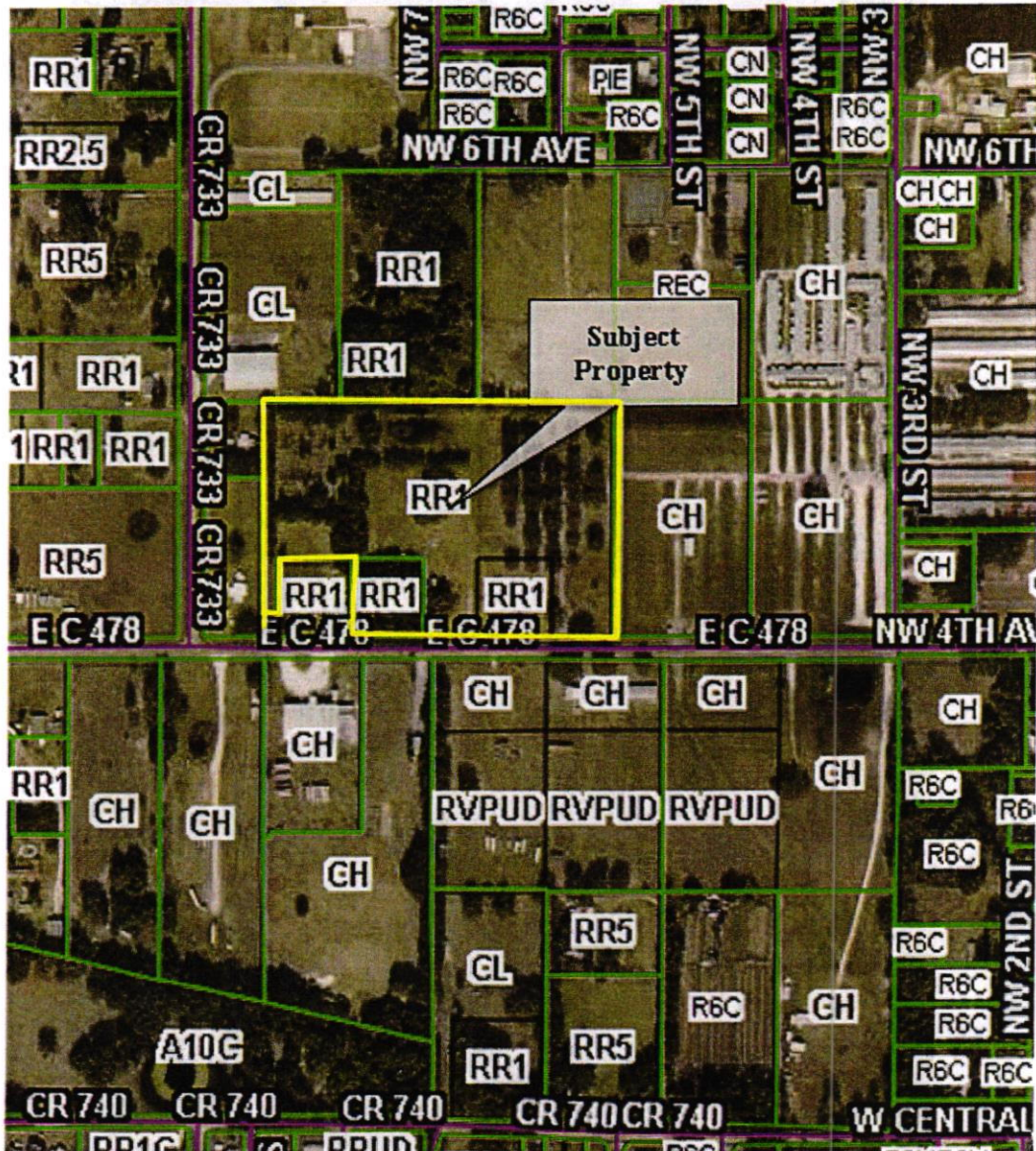
**Notices Sent: 19**

### General Location





Map 2  
Surrounding Zoning Assignments



## ORDINANCE NO. 2024-03

**AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA AMENDING THE CITY OF WEBSTER COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED; PROVIDING FOR AMENDMENT OF THE FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT OF THE CITY OF WEBSTER COMPREHENSIVE PLAN RELATIVE TO CERTAIN REAL PROPERTY, APPROXIMATELY 0.95 ACRES (TAX PARCEL IDENTIFICATION NUMBER T07-050), AND DESCRIBED IN THIS ORDINANCE FROM THE AGRICULTURAL FUTURE LAND USE DESIGNATION (COUNTY) TO THE RURAL RESIDENTIAL FUTURE LAND USE DESIGNATION (CITY); PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ASSIGNMENT OF THE LAND USE DESIGNATION FOR THE PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR RATIFICATION OF PRIOR ACTS OF THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION AND DIRECTIONS TO THE CODE CODIFIER AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Geri and Tyris Thornton, mailing address: PO Box 366, Webster FL 33597 (Tax Parcel Identification Number T07-050), is the owner of the property which is the subject of this Ordinance; and

**WHEREAS**, The real property, totaling 0.95 +/- acres in size, is located on the west side of CR 723, 400 ft south of CR 758 off a private easement; and

**WHEREAS**, Geri and Tyris Thornton have initiated voluntary annexation into the municipal limits of the City of Webster, Florida.; and

**WHEREAS**, The City Manager of the City of Webster pursuant to the controlling provisions of State law and the Code of Ordinances of the City of Webster, is petitioning to have the subject property reassigned from the Agricultural (County) future land use designation to the Rural Residential future land use designation;

**WHEREAS**, the City Council of the City of Webster, Florida has taken, as implemented by City staff, all actions relating to the approval action set forth herein in accordance with the requirements and procedures mandated by State law.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF WEBSTER, FLORIDA:**

**SECTION 1. LEGISLATIVE FINDINGS AND INTENT.**

(a). The City Council of the City of Webster hereby adopts and incorporates into this Ordinance the City staff report and City Council agenda memorandum relating to the application relating to the proposed amendment to the *City of Webster Comprehensive Plan* pertaining to the subject property.

(b). The City of Webster has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

(c). This Ordinance is internally consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Webster* and the proposed *Comprehensive Plan* amendment does not trigger any urban sprawl indicators and adoption of this amendment will discourage the proliferation of urban sprawl within the City of Webster.

(d). Public services are available to the real property which is the subject of this Ordinance.

(e). The exhibits to this Ordinance are incorporated herein as if fully set forth herein verbatim.

**SECTION 2. AMENDMENT TO FUTURE LAND USE MAP.**

(a). The Future Land Use Plan Element of the *Comprehensive Plan of the City of Webster* and the City's Future Land Use Map are hereby amended by changing the land use designation from the Agricultural (County) land use designation to the Rural

Residential land use designation regarding the real property which is the subject of this Ordinance as set forth herein (Attachment 1).

(b). The property which is the subject of this *Comprehensive Plan* amendment is as described as provided in Attachment 2:

**SECTION 4. CONFLICTS.** All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

**SECTION 5. SEVERABILITY.** If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

**SECTION 6. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER.** It is the intention of the City Council of the City of Webster, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of the City of Webster Comprehensive Plan and/or the Code of Ordinances of the City of Webster, Florida in terms of amending the Future Land Use Map of the City.

**SECTION 7. EFFECTIVE DATE** The small scale *Comprehensive Plan* amendment set forth herein shall not become effective, in accordance with Section 163.3187, *Florida Statutes*, until 31 days after the enactment of this Ordinance. If challenged within 30 days after enactment, the small scale amendment set forth in this Ordinance shall not become effective until the State land planning agency or the Administration Council, respectively, issues a final order determining that the subject large scale amendment is in compliance with controlling State law.



PASSED AND ENACTED this 15<sup>TH</sup> day of February, 2024.

CITY COUNCIL OF THE CITY OF  
WEBSTER, FLORIDA

\_\_\_\_\_  
Bobby Yost, Mayor

**ATTEST:**

Approved as to form and Legality:

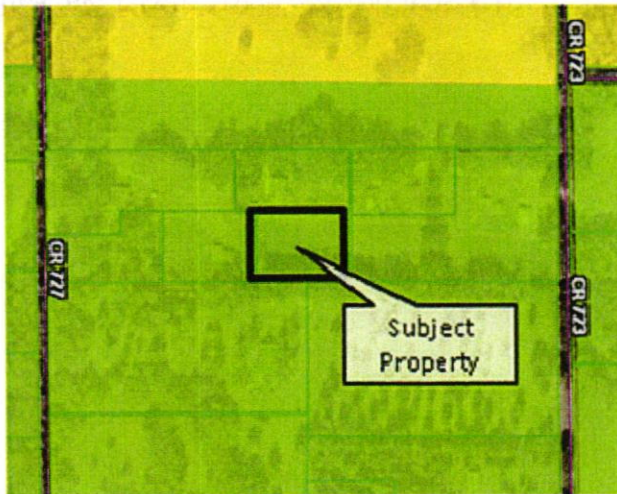
\_\_\_\_\_  
Amy Flood  
City Clerk

\_\_\_\_\_  
William L. Colbert  
City Attorney

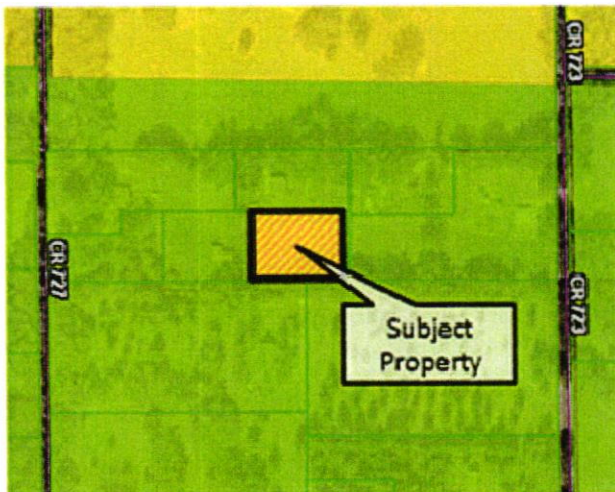


## ATTACHMENT 1




### Future Land Use Map



Existing Future Land  
Use Designations



Proposed Future Land  
Use Designations

-  Agriculture (County)
-  Rural Residential (County)
-  Rural Residential (City)

ATTACHMENT 2  
Legal Description

LOT 5- BEGIN 362.00 FT SOUTH AND 552.42 FT EAST OF THE NW CORNER OF THE NW ¼ OF THE NE ¼ OF SEC 7, TWP 22 S, RNG 23 E, RUN SOUTH 175.00 FT, EAST 239.52 FT, NORTH 175.00 FT, WEST 239.52 FT TO THE POB.

**CITY OF WEBSTER**  
**SMALL SCALE COMPREHENSIVE PLAN AMENDMENT**

**PLANNING & ZONING**  
**JANUARY 11, 2024**

**CITY COUNCIL**  
**JANUARY 18, 2024**  
**FEBRUARY 15, 2024**

**CASE NUMBER:** SS-23-18611

**LANDOWNER:** Geri and Tyris Thornton

**APPLICANT:** City of Webster

**REQUESTED ACTION:** A small scale land use amendment on 0.95 acres MOL to change the future land use assignment from County – Agricultural to City of Webster – Rural Residential following annexation.

**PARCEL NUMBER:** T07-050

**LEGAL DESCRIPTION:** LOT 5- BEGIN 362.00 FT SOUTH AND 552.42 FT EAST OF THE NW CORNER OF THE NW ¼ OF THE NE ¼ OF SEC 7, TWP 22 S, RNG 23 E, RUN SOUTH 175.00 FT, EAST 239.52 FT, NORTH 175.00 FT, WEST 239.52 FT TO THE POB.

**PARCEL SIZE:** 0.95 acres MOL

**LOCATION:** West side of CR 723, 400 ft south of CR 758 off a private easement(Map 1).

**GENERAL DESCRIPTION AND BACKGROUND**

This land use amendment is being initiated by staff in conjunction with voluntary annexation into the City. This amendment will add the property to the City's Future Land Use Map with a Rural Residential future land use assignment (Map 2) consistent with the Webster Joint Planning Area Agreement land use map. The property is currently designated Agricultural on the County Future Land Use Map. This amendment will allow for single-family residential use.

The subject property is a vested residential lot in the Grapevine community. The lot is located in a small family subdivision where one-acre lots share an access easement. A single family home is currently under construction. The Rural Residential Future Land Use district is 320-ft north of the subject property. The surrounding neighborhood is rural residential in nature.

## **LAND USE SUITABILITY**

### Urban Sprawl

The proposed amendment displays none of the sprawl indicators as identified in Florida Statutes Chapter 163.3177.9(a) and meets four (4) of the sprawl test criteria in Florida Statutes Chapter 163.3177.9(b) (Attachment).

### Environmental Resources

The property is a cleared residential lot. It does not contain significant natural resources.

### 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

Water service is not available in the area. Connection will be required in the future when public utilities become available.

### Stormwater Drainage

All development must conform to Southwest Florida Water Management District regulations for stormwater systems.

## **CONSISTENCY WITH POLICIES OF THE COMPREHENSIVE PLAN**

The proposed amendment is consistent with the following policies of the Unified Comprehensive Plan:

### **Policy 1.2.5 Rural Residential**

The "Rural Residential" future land use category is applied to land that is primarily used for or is suitable for residential uses and residential accessory uses. This land use category is typically located within or adjacent to incorporated cities and includes unincorporated residential communities. Accessory uses are limited activities that are customary and incidental to residential use undertaken for the personal use and enjoyment of the residential occupant.

Secondary uses include small-scale, neighborhood-serving commercial uses, community facilities as described in Policy 1.6.4, public schools, parks, conservation, and agriculture.

- a. This land use category may be applied to lands within or outside the UDA;
- b. Maximum gross density is 2 dwelling units per acre when located inside the UDA, subject to use of central water and sewer services;
- c. Maximum gross density when located outside the UDA or inside the UDA with no central water and sewer service is 1 dwelling unit per acre

*This property is located in a residential area with homes on lots one half-acre in size and larger. The surrounding development is rural residential in nature with a mixture of housing types. It is located inside the Urban Development Area (UDA). The property is suitable for residential use.*

### **Future Land Use Policy 1.3.8 Compatibility for Rezoning and Amendments**

Proposed rezonings and future land use amendments shall be compatible with adjacent land uses and community character. Compatibility shall be achieved through the following measures:

- a. Rezoning and future land use amendments shall consider potential maximum impacts of the potential land uses; and  
*The requested future land use assignment is consistent with the surrounding neighborhood where homes are located on lots greater than one-half acre.*
- b. The use of clustering, PUD, or other innovative development techniques shall be considered to assure the compatible transition between differing land uses and zoning districts.  
*PUD development would not be appropriate for this parcel.*

### **PROPOSED AMENDMENT TO THE TEXT OF THE COMPREHENSIVE PLAN**

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

### **PROPOSED AMENDMENT TO THE CAPITAL IMPROVEMENTS PLAN**

The proposed amendment does not affect the City's Capital Improvements program.

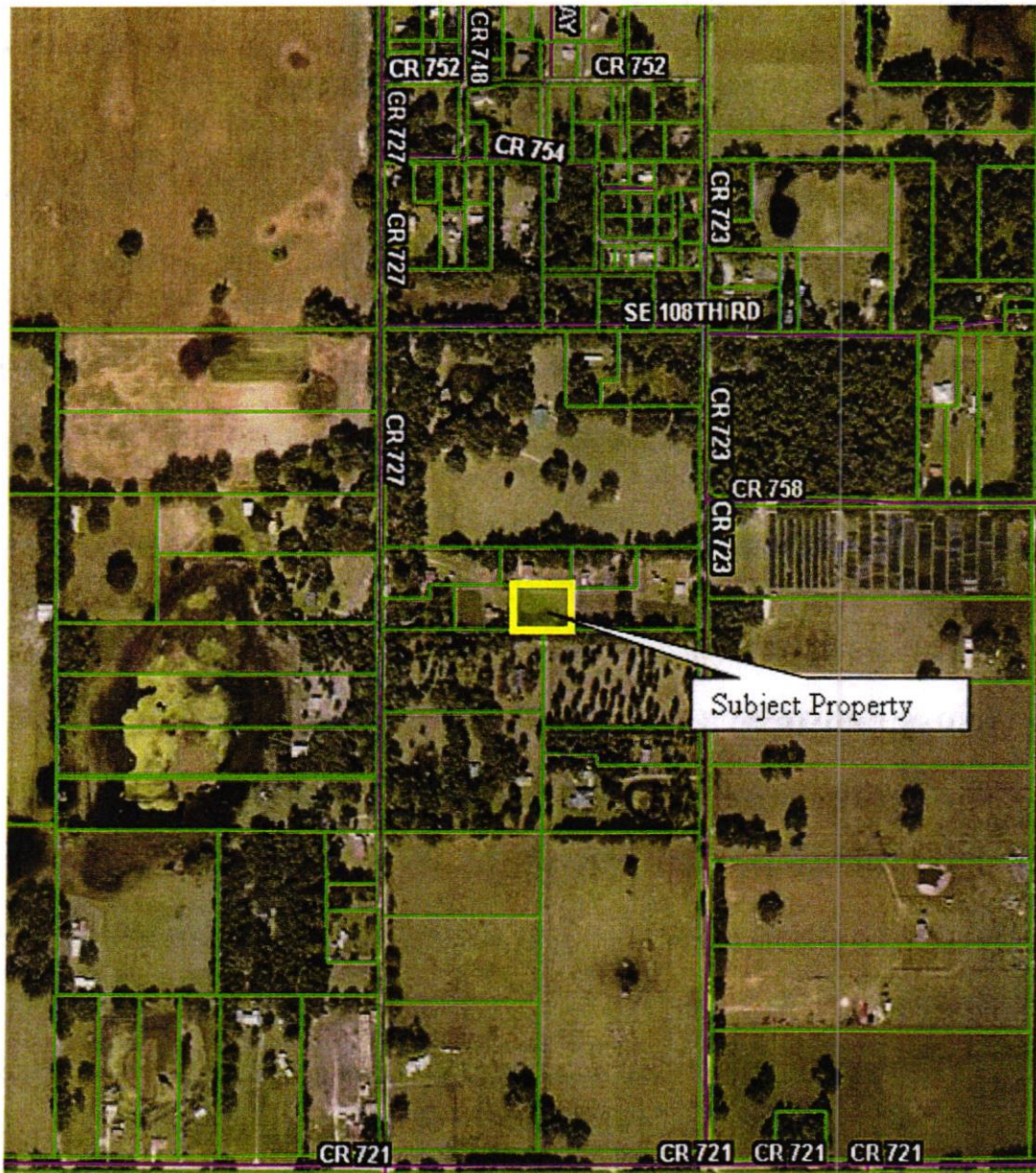
### **CONCLUSIONS**

Staff deemed the application sufficient for review. Staff has found the request in compliance with the minimum requirements of the Webster County Land Development Code and Comprehensive Plan and recommends approval of the petition.

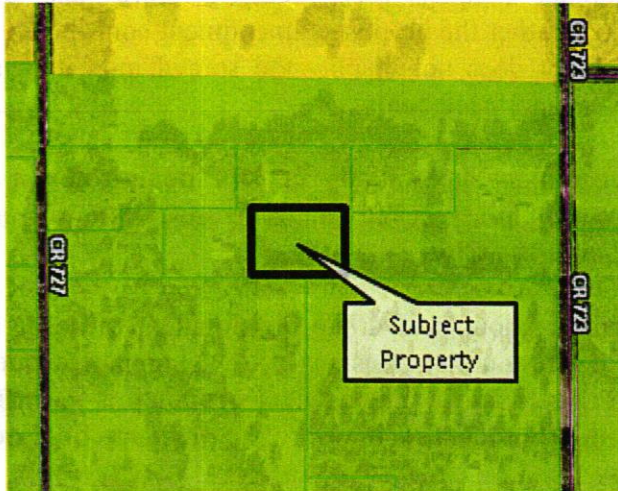
**Notices Sent: 13**



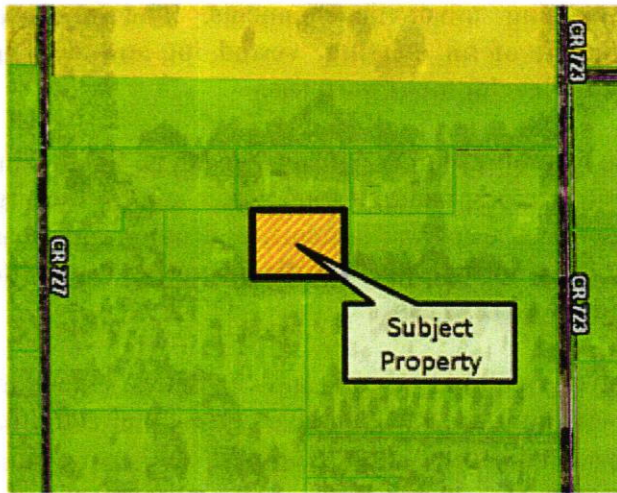
Map 1  
General Location



## Future Land Use Map



Existing Future Land  
Use Designations



Proposed Future Land  
Use Designations

-  Agriculture (County)
-  Rural Residential (County)
-  Rural Residential (City)



**Attachment**  
**URBAN SPRAWL ANALYSIS**

The Community Planning Act (Florida Statutes Chapter 163) requires future land use amendments to 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 project site does not make up a substantial part of the City.**
- 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 subject property is an infill project within an existing, vested, residential neighborhood. The property does not make up a substantial part of the City.**
- III. Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments. **The proposed amendment will allow infill development of an existing, vested lot and will not promote radial, strip, isolated, or ribbon development patterns.**
- 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 subject property does not contain significant native vegetation and does not include any Special Flood Hazard Areas.**
- 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 proposed land use change will have no impact on Agricultural uses.**
- VI. Fails to maximize use of existing public facilities and services. **The subject property will be required to connect to City utilities when they become available.**
- VII. Fails to maximize use of future public facilities and services. **The subject property will be required to connect to City utilities when they become available**
- 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. Fails to provide a

clear separation between rural and urban land uses. **The proposed land use amendment will not disproportionately increase the cost of public services in the area.**

- IX. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities. **The requested amendment is an infill project.**
- X. Fails to encourage a functional mix of uses. **The proposed amendment will not discourage a functional mix of uses.**
- XI. Results in poor accessibility among linked or related land uses. **The proposed land use amendment will not affect the accessibility of adjacent lands.**
- XII. Results in the loss of significant amounts of functional open space. **The subject property does not impact functional open space.**

Further, a future land use amendment is required to meet four or more criteria listed in FS 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 does not contain significant native vegetation.**
- (V) Preserves Agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils. **The proposed amendment will not affect agricultural areas.**
- (V) Creates a balance of land uses based upon demands of residential population for the nonresidential needs of an area. **The land use change will not significantly affect the mixture of land uses.**
- (VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area. **The requested amendment will maintain the balance of land uses and allow use of a vested, residential lot.**

## **ORDINANCE NO. 2024-04**

**AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA PROVIDING FOR THE REZONING OF REAL PROPERTY TOTALING 0.95 ACRES, MORE OR LESS, IN SIZE (TAX PARCEL IDENTIFICATION NUMBER T07-050) WITHIN THE CITY LIMITS (MAP OF PROPERTY ATTACHED) TO R4C, SUBURBAN RESIDENTIAL ZONING DISTRICT; PROVIDING FOR THE TAKING OF IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR THE ADOPTION OF A MAP BY REFERENCE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Geri and Tyris Thornton, mailing address: PO Box 366, Webster FL 33597 (Tax Parcel Identification Number T07-050), is the owner of the property which is the subject of this Ordinance; and

**WHEREAS**, The real property, totaling 0.95 +/- acres in size, is located on the west side of CR 723, 400 ft south of CR 758 off a private easement; and

**WHEREAS**, Geri and Tyris Thornton have initiated voluntary annexation into the municipal limits of the City of Webster, Florida.; and

**WHEREAS**, The City Manager of the City of Webster pursuant to the controlling provisions of State law and the Code of Ordinances of the City of Webster, is petitioning to have the subject property reassigned from the R2M (County) zoning assignment to the R4C zoning assignment;

**WHEREAS**, the City Council of the City of Webster, Florida has taken, as implemented by City staff, all actions relating to the approval action set forth herein in accordance with the requirements and procedures mandated by State law.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF WEBSTER, FLORIDA:**

**SECTION 1. LEGISLATIVE FINDINGS AND INTENT.**

(a). The City Council of the City of Webster hereby adopts and incorporates into this Ordinance the City staff report as well as the recitals (whereas clauses) to this Ordinance.

(b). The subject property, which is 0.95 acres MOL in size, is located on the West side of CR 723, 400 ft south of CR 758 off a private easement (Tax Parcel Number T07-050). The legal description of the subject property is provided in Attachment A.

(c). The City of Webster has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

**SECTION 2. REZONING OF REAL PROPERTY/IMPLEMENTING ACTIONS.**

(a). Upon enactment of this Ordinance the following described property, as depicted in Attachment A of this Ordinance, and totaling is 0.95 acres MOL in size, shall be rezoned from R2M(County) zoning districts/classification to R4C zoning district/classification.

(b). The City Manager, or designee, is hereby authorized to execute any and all documents necessary to formalize approval of the rezoning action taken herein and to revise and amend the Official Zoning Map or Maps of the City of Webster as may be appropriate to accomplish the action taken in this Ordinance.

**SECTION 3. INCORPORATION OF MAP.** The map attached to this Ordinance as the Attachment is hereby ratified and affirmed and incorporated into this Ordinance as a substantive part of this Ordinance.

**SECTION 4. CONFLICTS.** All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

**SECTION 5. SEVERABILITY.** If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

**SECTION 6. NON-CODIFICATION.** This Ordinance shall not be codified in the *City Code of the City of Webster* or the *Land Development Code of the City of Webster*; provided, however, that the actions taken herein shall be depicted on the zoning maps of the City of Webster by the City Manager, or designee.

**SECTION 7. EFFECTIVE DATE** This Ordinance shall take effect immediately upon enactment provided, however, that the rezoning of property herein set forth shall not take effect until Ordinance Number 2024-03 relating to the Comprehensive amendment becomes effective.



**PASSED AND ENACTED this 15th day of February, 2024.**

**CITY COUNCIL OF THE CITY  
OF WEBSTER, FLORIDA**

\_\_\_\_\_  
**Bobby Yost, Mayor**

*ATTEST:*

**Approved as to form and Legality:**

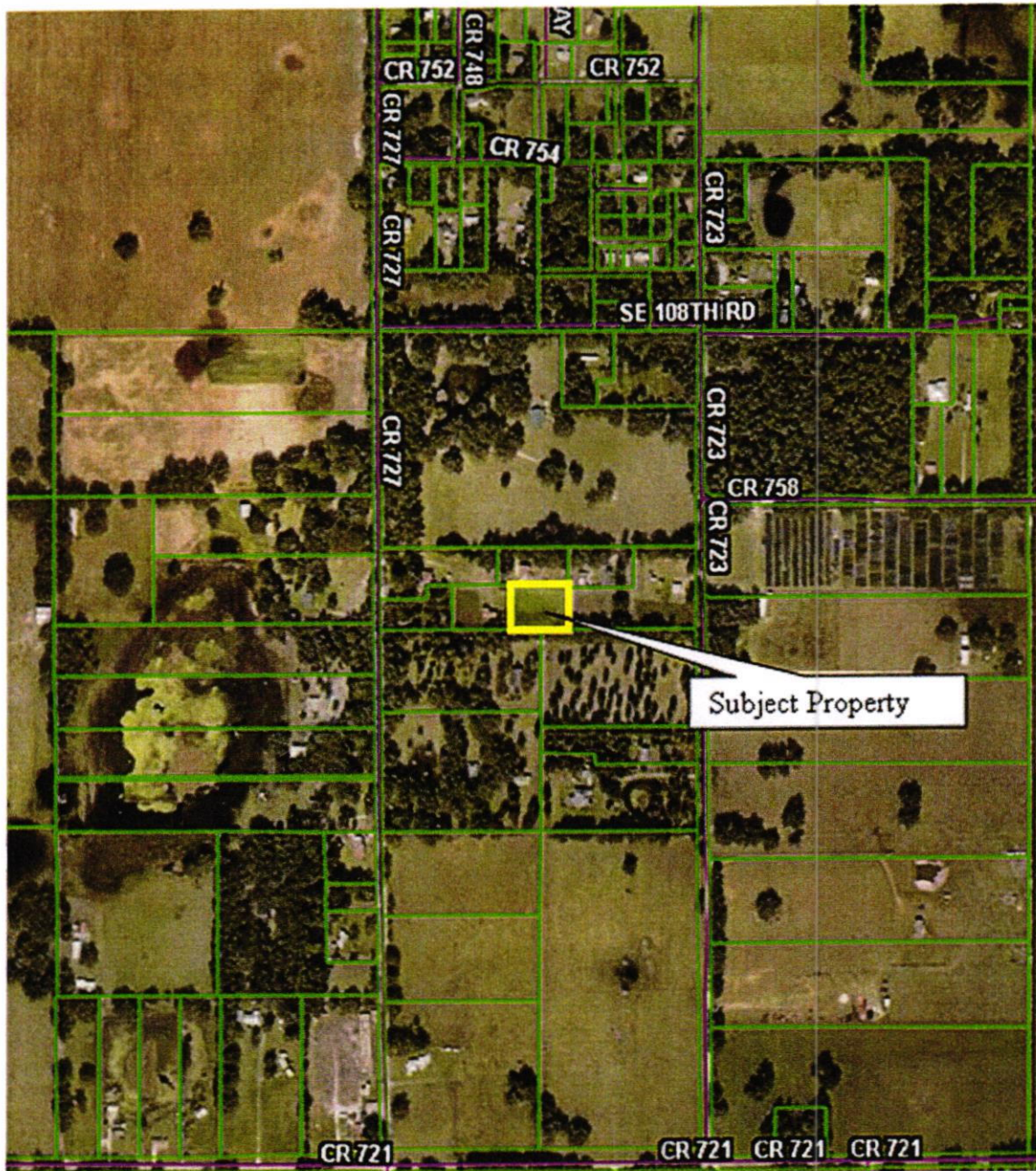
\_\_\_\_\_  
**Amy Flood  
City Clerk**

\_\_\_\_\_  
**William L. Colbert  
City Attorney**

**Attachment A**  
**Legal Description**

LOT 5- BEGIN 362.00 FT SOUTH AND 552.42 FT EAST OF THE NW CORNER OF THE NW  $\frac{1}{4}$  OF THE NE  $\frac{1}{4}$  OF SEC 7, TWP 22 S, RNG 23 E, RUN SOUTH 175.00 FT, EAST 239.52 FT, NORTH 175.00 FT, WEST 239.52 FT TO THE POB.

Map



**CITY OF WEBSTER  
REZONING APPLICATION**

**PLANNING & ZONING  
JANUARY 11, 2024**

**CITY COUNCIL  
JANUARY 18, 2024  
FEBRUARY 15, 2024**

**CASE NUMBER:** R-23-018612

**LANDOWNER:** Geri and Tyris Thornton

**APPLICANT:** City of Webster

**REQUESTED ACTION:** Rezone 0.95 acres from R2M (County) to R4C (Webster) concurrent with small scale amendment SS-23-18611.

**PARCEL NUMBERS:** T07-050

**LEGAL DESCRIPTION:** LOT 5- BEGIN 362.00 FT SOUTH AND 552.42 FT EAST OF THE NW CORNER OF THE NW ¼ OF THE NE ¼ OF SEC 7, TWP 22 S, RNG 23 E, RUN SOUTH 175.00 FT, EAST 239.52 FT, NORTH 175.00 FT, WEST 239.52 FT TO THE POB.

**EXISTING ZONING:** County – R2M (Residential allowing for mobile homes)

**EXISTING USE:** vacant house under construction

**FUTURE LAND USE:** Rural Residential (concurrent application)

**PARCEL SIZE:** 0.95 acres MOL

**LOCATION:** West side of CR 723, 400 ft south of CR 758 off a private easement (Map 1).



## **SURROUNDING LAND USE AND ZONING**

The subject property is a vested residential lot in the Grapevine community. The lot is located in a small family subdivision where one-acre lots share an access easement. A single family home is currently under construction. The surrounding neighborhood is rural residential in nature with homes on parcels ranging from one-half acre to five acres in size. Surrounding zoning assignments include Rural Residential (RR5C/RR5 –south, and RR1/RR1C-east and north), and Suburban Residential (R2M - west) (Map 2). The neighborhood is rural residential in nature.

## **CASE SUMMARY**

The rezoning will add the property to the City's Zoning Map with a R4C zoning designation. The R4C zoning assignment will allow for one residential home and associated accessory uses such as garages, sheds, and swimming pools. Houses are required to meet Florida Building Code standards. The house currently under construction on the site meets these requirements.

## **CASE ANALYSIS:**

The request is to adopt City zoning following annexation. This application is concurrent with small scale land use amendment SS-23-18611 which seeks a Rural Residential Future Land Use assignment.

LDC Section 13-313 (d), *General Administration of Amendment and Permit Applications-Review and Approval Process*, provides for the following review criteria for LDC and zoning map amendments:

- a) Change of conditions, or absence of changed conditions.  
*The property is being annexed into Webster.*
- b) Community need, or lack of community need.  
*The requested rezoning will allow residential uses in an area with similar uses.*
- c) Benefits to the community.  
*The rezoning will benefit the community by allowing continued residential use of a vested lot.*
- d) The rights of private property owners.  
*This rezoning will preserve the existing rights currently in place with County land use and zoning.*

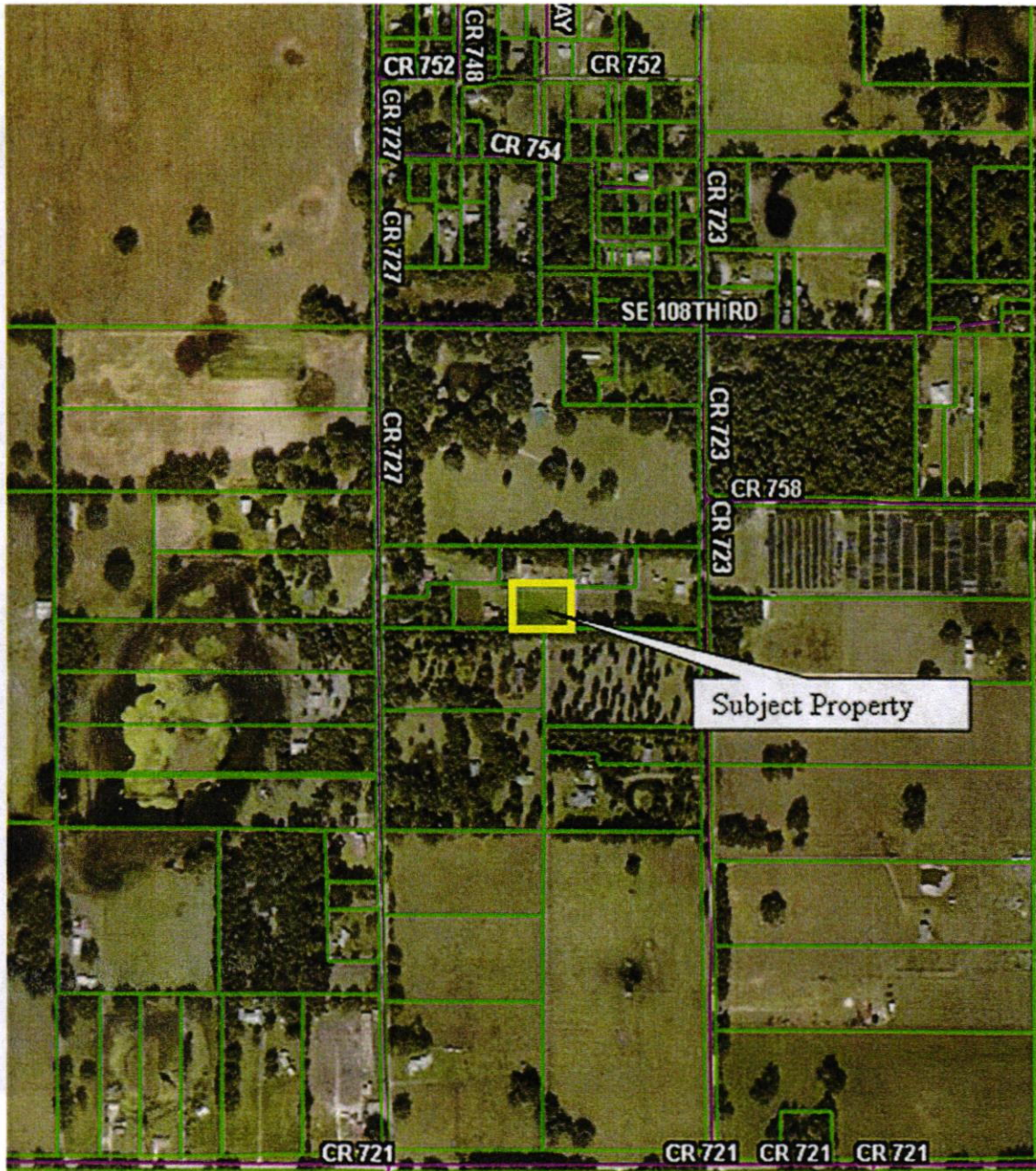
## **DEVELOPMENT SERVICES DEPARTMENT STAFF CONCLUSIONS**

Staff deemed the application sufficient for review. Staff has found the request in compliance with the minimum requirements of the Webster Land Development Code and Comprehensive Plan and recommends approval contingent upon approval of future land use amendment SS-23-18611.

**Notices Sent: 13**



Map 1  
General Location





Map 2  
Surrounding Zoning Assignments



**ORDINANCE NO. 2024-05**

**AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA GRANTING CONSENT FOR THE INCLUSION OF ALL OF ITS INCORPORATED AREA MUNICIPAL SERVICE BENEFIT OR TAXING UNITS FOR FIRE PREVENTION AND SUPPRESSION AND NON-TRANSPORT AND TRANSPORT EMERGENCY MEDICAL SERVICE; APPROVING AN AMENDMENT OF THE INTERLOCAL SERVICE BOUNDARY AGREEMENT AND AMENDMENT AND RESTATEMENT OF THE INTERLOCAL BOUNDARY AGREEMENT FIRE SERVICES SUB-AGREEMENT; RENEWING THE INTERLOCAL SERVICE BOUNDARY AGREEMENT FOR A PERIOD OF TWENTY (20) YEARS; PROVIDING FOR RESOLUTION OF CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**RECITALS:**

**WHEREAS**, the City of Webster ("City") possesses Home Rule powers pursuant to Article VIII, Section 2(b), Florida Constitution and Section 166.021, Florida Statutes: and,

**WHEREAS**, the Sumter County Board of County Commissioners ("County") possesses powers of self-government as provided by general or special law, so long as such acts are in the common interest of the people of the County, said powers being held and exercised pursuant to Article VIII, Section 1 (f), Florida Constitution and Section 125.01, Florida Statutes: and

**WHEREAS**, the Florida Interlocal Cooperation Act of 1969, Section 163.01, Florida Statutes, encourages and empowers local governments to cooperate with one another on matters of mutual interest and advantage, and provides for interlocal agreements on matters such as annexation, joint planning, and service provision; and,

**WHEREAS**, the Municipal Annexation or Contraction Act, Chapter 171, Part I, Florida Statutes, and the Interlocal Service Boundary Agreement Act, Chapter 171, Part II, Florida Statutes, recognize the use of interlocal service boundary agreements and joint planning agreements to coordinate future land use and public facilities and services, and,

**WHEREAS**, the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes, requires that counties and cities include in their respective planning efforts intergovernmental coordination and mechanisms for identifying and implementing joint planning areas and service provision; and,

**WHEREAS**, the City adopted Ordinance No. 2009-10, as amended, on September 29, 2009 and the County adopted Ordinance 2009-21 on September 29, 2009, as amended, establishing the Interlocal Services Boundary Agreement and Joint Planning Area to memorialize and codify the consolidated and coordinated effort to efficiently and effectively provide public facilities and



services; and

**WHEREAS**, Sumter County continued a countywide Municipal Service Benefit Unit (MSBU) during the term of this Interlocal Service Boundary Agreement and the City acknowledges and consents to its continuation including along fire prevention and suppression and non-transport and transport emergency medical services ("Fire and EMS Services"); and

**WHEREAS**, Sumter County had a project-based fire impact fee prior to and during the term of this Interlocal Service Boundary Agreement and the City acknowledges and consents to Sumter County creating a fire impact fee within the City's jurisdiction to meet the capital capacity needs of the Fire and EMS Services; and

**WHEREAS**, Section 125.01(q), Florida Statutes requires consent by ordinance of the governing body of the affected municipality where the County establishes municipal services taxing units (MSTUs); and

**WHEREAS**, the Fire Services Sub-Agreement requires updating to, among other things, grant consent to the County to include all of the incorporated area of the City in MSBUs, and/or MSTUs to provide Fire and EMS Services and other properties located within the municipal limits of the City; and

**WHEREAS**, the City and County have found a necessity for an Amendment and Restatement of the Interlocal Service Boundary Agreement and Fire Sub-Agreement between the City and the County, a fully executed copy of which is attached hereto and made a part of this ordinance as "Exhibit A", to be codified in full.

**NOW THEREFORE**, be it enacted by the City Council of the City of Webster, Florida, as follows:

**SECTION 1. FIRE SUB-AGREEMENT:** The Amendment and Restatement of the Interlocal Service Boundary Agreement Fire Services Sub-Agreement between the City of Webster and Sumter County, attached hereto as "Exhibit A", is hereby adopted and incorporated herein, to be codified as a provision of the City of Webster Code of Ordinances, along with the terms of this Ordinance.

**SECTION 2. CONSENT TO THE CONTINUATION OF MUNICIPAL SERVICE BENEFIT UNIT(S) (MSBUs):** The City Council of the City of Webster hereby formally consents to the continuation of the imposition municipal benefit unit(s) (MSBUs) within its jurisdiction and incorporated area for Fire and EMS Services purposes only. Such consent shall be for a term of twenty (20) years.

**SECTION 3. CONSENT TO ESTABLISH MUNICIPAL SERVICE TAXING UNIT(S) (MSTUs):** The City Council of the City of Webster hereby formally consents to the inclusion of all of the incorporated area of the City of Webster in the establishment by Sumter County of municipal service taxing units (MSTUs) for Fire and EMS Services within its jurisdiction. Such consent shall be for a term of twenty (20) years.

**SECTION 4. CONFLICT:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 5. SEVERABILITY:** If any section, subsection, sentence, clause, phrase of this ordinance, or any particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

**SECTION 6. CODIFICATION AND CORRECTION OF SCRIVENER'S ERRORS:**

Sections 1, 2 & 3 of this Ordinance shall be codified in the Code of Ordinances of the City of Webster, Florida, and all other sections shall not be codified. The Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article" or other appropriate word. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

**SECTION 7. EFFECTIVE DATE** This ordinance shall take effect upon final approval by the City Council of the City of Webster and final approval by the Sumter County Board of County Commissioners of an ordinance adopting the attached Amended and Restated Interlocal Service Boundary Agreement Fire Sub-Agreement, whichever date is later.

**SECTION 8. TERM.** The term of the Interlocal Service Boundary Agreement shall renew for a period of twenty (20) years commencing on the effective date of this Ordinance. The effective date of this ordinance shall be the date of final adoption by the City or County, whichever is later. All other provisions of the Interlocal Service Boundary Agreement, not otherwise expressly modified herein, shall remain in full force and effect.

DONE AND ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_ 2024 by the City Council of the City of Webster, Florida.

CITY COUNCIL  
CITY OF WEBSTER, FLORIDA

ATTEST: \_\_\_\_\_  
Amy Flood, City Clerk

\_\_\_\_\_  
Bobby Yost, Mayor

Approved as to form:

\_\_\_\_\_  
W.L. Colbert, City Attorney