

City of Webster, Florida

Planning and Zoning Meeting

January 17, 2023

6:00 p.m.



Office Copy



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

Webster City Hall, 85 E. Central Avenue
January 17, 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

Regular Council Meeting – November 15, 2022
M_____S_____ Roll Call Vote

III. PUBLIC HEARING

First Reading of Ordinance 2023-01 Annexation of Parcel ID's N36-101 and N36-219-John and Alice Wintersteen
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 Ave
November 15, 2022
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 6:00 p.m. Present were board members: Kristin Green, Shadae Solomon, and Chairwoman Diana Yost. Audrey Gavin was absent.

II. APPROVAL OF THE MINUTES

Board Member Green made a motion for approval of the minutes for October 13, 2022, seconded by Board Member Solomon

Vote was as follows:

Chairwoman Yost -Yes

Board member Solomon - Yes

Board Member Green- Yes

Motion passed 3-0

III. ITEMS FOR REVIEW & RECOMMENDATION

Board Member Green motioned to approve Transmittal of the Webster Comprehensive Plan, Seconded by Board member Solomon

County planner Sue Farnsworth apprised board members Transmittal of the Webster Comprehensive Plan.

The Following Individuals spoke on items up for Review and Recommendation:

Sandra McClanahan – City Resident

Judie Mueller – City Resident

Jeff Boque – Non-City Resident

Vote was as follows for Transmittal of the Webster Comprehensive plan

Chairwoman Yost - Yes

Board member Solomon - Yes

Board Member Green- Yes

Motion Passed 3-0

Board Member Green motioned to approve First Reading of Ordinance 2022- 21- Establishing Zoning Requirements for Tattoo, Body Piercing, and Smoke Shops.

County planner Sue Farnsworth apprised board members of ordinance 2022-21.

Vote was as follows First Reading of Ordinance 2022- 21

Chairwoman Yost - Yes

Board member Solomon - Yes

Board Member Green- Yes

Motion Passed 3-0

IV. ADJOURNMENT

Motion by Board Member Green to adjourn, seconded by Board Member Solomon.

The Vote was as follows:

Chairwoman Yost - Yes

Board member Solomon - Yes

Board Member Green - Yes

Motion passed 3-0

The meeting was adjourned at 6:34 p.m.

Attest:

Deanna Naugler, City Manager

Amy Flood, City Clerk

ORDINANCE NO. 2023-01

AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA, ANNEXING BY VOLUNTARY PETITION CERTAIN REAL PROPERTY TAX IDENTIFICATION PARCEL NUMBERS N36-101 and N36-219 LOCATED CONTIGUOUS TO THE CITY OF WEBSTER IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, *FLORIDA STATUTES*, TOGETHER WITH ASSOCIATED RIGHTS-OF-WAYS; REDEFINING THE BOUNDARIES OF THE CITY OF WEBSTER TO INCLUDE SAID PROPERTY; AMENDING THE BOUNDARIES OF THE CITY IN ACCORDANCE WITH THE PROVISIONS OF SECTION 166.031, *FLORIDA STATUTES*; PROVIDING FOR FINDINGS; PROVIDING FOR CONDITIONS; DIRECTING THE CITY CLERK TO RECORD THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICE OF SUMTER COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR LEGAL DESCRIPTION AND A MAP AND PROVIDING FOR THE INCORPORATION OF THAT EXHIBIT; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND THE TAKING OF ADMINISTRATIVE ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, John and Alice Wintersteen, applied for annexation of property into the City of Webster and is hereby determined to be the fee simple title owner of the real property described below; and

WHEREAS, the said applicant petitioned the City of Webster, pursuant to Section 171.044, *Florida Statutes*, for annexation of said property into the municipal limits of the City of Webster; and

WHEREAS, the applicant is the fee simple title owner of all of said property being described by Tax Identification Parcel Numbers as follows:

Tax Identification Parcel Number	Owner
N36-101 and N36-219	John and Alice Wintersteen

WHEREAS, the City Council, upon the recommendation of City staff and the City Attorney, has determined that all of the property which is proposed to be annexed into the City of Webster is within an unincorporated area of Sumter County, is reasonably compact and it is further determined that the annexation of said property will not result in the creation of any enclave (and, indeed, logically fills in the City Limits of the City and is consistent with sound principles and practices relating to the delineating of jurisdictional boundaries thereby furthering sound management in terms of the provision of public facilities and services as well as sound land use planning), and it is further determined that the property otherwise fully complies with the requirements of State law and has, further, determined that associated rights-of-way should be annexed hereby; and

WHEREAS, the City Council of the City of Webster, Florida has taken all actions in accordance with the requirements and procedures mandated by State law; and

WHEREAS, the City Council of the City of Webster, Florida hereby determines that it is to the advantage of the City of Webster and in the best interests of the citizens of the City of Webster to annex the aforescribed property; and

WHEREAS, the provisions of Section 166.031(3), *Florida Statutes*, provide that [a] municipality may, by ordinance and without referendum, redefine its boundaries to include only those lands previously annexed and shall file said redefinition with the Department of State pursuant to the provisions of subsection (2); and

WHEREAS, the provisions of Section 171.091, *Florida Statutes*, provide as follows:

Recording.—Any change in the municipal boundaries through annexation or contraction shall revise the charter boundary article and shall be filed as

a revision of the charter with the Department of State within 30 days. A copy of such revision must be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

WHEREAS, the map and the legal description attached hereto as Exhibit "A" shows, describes, and depicts the property and associated rights-of-ways which are hereby annexed into the City of Webster said Exhibit being incorporated into the substantive provisions of this Ordinance as if fully set forth herein verbatim.

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

SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS/ANNEXATION OF PROPERTIES.

(a). The recitals set forth above in the "whereas clauses" are hereby adopted as legislative findings of the City Council of the City of Webster.

(b). The property that is the subject of this Ordinance consists of the following parcel of land assigned the Tax Identification Parcel Number set forth above and being specifically described as set forth below, together with all abutting right-of-way if any such rights-of-ways are not currently located within the City Limits of the City, said property being situated in Sumter County, Florida, and said property is hereby annexed into and are hereby made a part of the City of Webster, Florida pursuant to the voluntary annexation provisions of Section 171.044, *Florida Statutes*:

LEGAL DESCRIPTION

All the above lands and real property being located in Sumter County, Florida. (See Exhibit "A").

(c). The property owner of the annexed property fully understands that all of the costs of routing and installing all utility services to the annexed property that may

result and be incurred and the obligation to pay any and all applicable fees in any way relating to connection to, and provision of services by, the City's utility systems shall be borne totally by the property owner.

(d). Under the authority of Section 166.031 (3), *Florida Statutes*, relating to city charter amendments, "[a] municipality may amend its charter pursuant to this section notwithstanding any charter provisions to the contrary. A municipality may, by ordinance and without referendum, redefine its boundaries to include only those lands previously annexed and shall file said redefinition with the Department of State." This Ordinance shall amend the boundaries of the City to include the property annexed in this Ordinance and all previously annexed properties.

SECTION 2. EFFECT OF ANNEXATION.

Upon this Ordinance becoming effective, the property owner of the said property shall be entitled to all the rights and privileges and immunities as are from time-to-time granted to property owner of the City of Webster, Florida as further provided in Chapter 171, *Florida Statutes*, and shall further be subject to the responsibilities of ownership as may from time-to-time be determined by the governing authority of the City of Webster, Florida and the provisions of said Chapter 171, *Florida Statutes*.

SECTION 3. ADMINISTRATIVE ACTIONS.

(a). Within 7 days of the adoption of this Ordinance, the City Clerk shall file a copy of said Ordinance with the Clerk of the Court (Land Records/Recording), with the Chief Administrative Officer of Sumter County (the County Manager), with the Florida Department of State, and with such other agencies and entities as may be required by law or otherwise desirable.

(b). The City Clerk shall ensure that the property annexed by this Ordinance is

incorporated into the *City of Webster Comprehensive Plan* and the Official Zoning Map of the City of Webster in an expeditious manner and, in accordance with, and pursuant to, the provisions of Under the authority of Section 166.031 (3), *Florida Statutes*, the City Clerk shall amend the boundaries of the City to include the property annexed in this Ordinance and all previously annexed properties in all maps and geographical data relating to the City Limits said properties to include, but not be limited to, annexed rights-of-way and natural features.

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 to be invalid, unlawful, or unconstitutional.

SECTION 6. CODIFICATION.

The provisions of this Ordinance shall not be codified, but the annexed property shall be incorporated and included in all appropriate maps of the City Limits of the City of Webster by the City Clerk who is hereby directed to take any and all appropriate actions relative to the land use planning documents of the City pertaining to the property annexed pursuant to this Ordinance.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon passage and adoption.

PASSED AND ENACTED this _____ day of _____, 2022.

**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

Exhibit A

Parcels: (N35-101 and N36-219)

FROM NE COR ON NE 1/4 OF SW 1/4 RUN N 89 DEG 40'40" W 270.79 FT S 00 DEG 02'32" W 639.79 FT S 00 DEG 02'32" W 439.79 FT S 89 DEG 47'26" E 36.86 FT TO POB RUN S 00 DEG 02'32" W 210 FT S 89 DEG 47'26" E 210 FT N 00 DEG 02'32" E 210 FT N 89 DEG 47'26" W 210 FT TO POB

And

FROM THE NE COR OF THE NE 1/4 OF THE SW 1/4 RUN N 89 DEG 40'40" W 270.59 FT S 0 DEG 02'32" W 639.79 FT TO POB CONT S 0 DEG 02'23" W 439.79 FT N 89 DEG 47'26" W 173.12 FT S 0 DEG 02'32" W 210 FT N 89 DEG 47'26" W 43.25 FT N 0 DEG 03'47" E 650 FT S 89 DEG 47'26" E 216.16 FT TO POB AND FROM NE COR OF NE 1/4 OF SW 1/4 RUN N 89 DEG 40'40" W 270.59 FT S 0 DEG 02'32" W 639.79 FT TO POB RUN S 0 DEG 02'32" W 439.79 FT S 89 DEG 47'26" E 356.53 FT N 0 DEG 01'18" E 649.61 FT N 89 DEG 44'03" W 393.16 FT TO POB AND FROM NW COR OF NW 1/4 OF SE 1/4 RUN S 89 DEG 40'40" E 122.34 FT S 0 DEG 01'18" W 639.41 FT TO POB CONT S 0 DEG 01'18" W 649.41 FT S 89 DEG 47'26" E 393.39 FT N 0 DEG 00'03" E 649.02 FT N 89 DEG 44'03" W 393.16 FT TO POB LESS: FROM NE COR ON NE 1/4 OF SW 1/4 RUN N 89 DEG 40'40" W 270.79 FT S 00 DEG 02'32" W 639.79 FT S 00 DEG 02'32" W 439.79 FT S 89 DEG 47'26" E 36.86 FT TO POB RUN S 00 DEG 02'32" W 210 FT S 89 DEG 47'26" E 210 FT N 00 DEG 02'32" E 210 FT N 89 DEG 47'26" W 210 FT TO POB

All being in Sumter County, Florida.



PETITION FOR VOLUNTARY ANNEXATION

(Sec. 171.044, Florida Statutes)

TO: THE WEBSTER CITY COMMISSION
City of Webster
State of Florida

Come now the Owner or Legal Representative whose name(s) appear below:

John c & Alice Winterssteen Owner
Reinaldo J. Rose Representative

being all of the owner(s) of the following described property:

SUMTER COUNTY

PARCEL NUMBER

N36-101 Home +
N36-219 Land

and petition the City Commissioner for the City of Webster, Florida, to annex the described property into the City of Webster, and to redefine the City limits of the City of Webster in such manner as to include such property.

Petitioner(s) hereby state:

1. That the described real property is in an unincorporated area of Sumter County, Florida, which is, or will be, contiguous to the City of Webster at the time of final annexation, and:

That the real property sought to be annexed to the City of Webster is, or will be, reasonably compact within the meaning of the law at the time of final annexation, and;

2. That an annexation of the described real property will not result in the creation of an enclave, in violation of law at the time of final annexation.
3. I understand that all rules, regulations and taxation of the City will apply upon annexation into the City.

This petition has been executed on the 10 day of January, 2023

OWNER(S) OR LEGAL REPRESENTATIVE

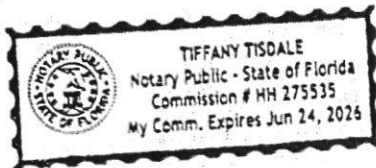
Rainith J. Roe
Signature

[Signature]
Witness

Signature

C Stevens Chelsea Stevens
Witness

This petition was acknowledged before me on 10 day of January, 2023. Personally
known to me or identification provided _____.



[Signature]
Notary Signature

OFFICIAL USE ONLY:

Received: City of Webster, Florida, on _____ day of _____, 20____.

Present City Zoning _____.