



AGENDA
PLANNING AND ZONING BOARD
CITY OF WEBSTER
Webster City Hall, 85 E. Central Avenue
March 9, 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 – January 17, 2023
M_____ S_____ Roll Call Vote

III. PUBLIC HEARING

First Reading of Ordinance 2023-03 Annexation of Parcel ID's Q31-003 and Q31A001-Ginny Browning
M_____ S_____ Roll Call Vote

First Reading of Ordinance 2023-04 Annexation of Parcel ID N25-016-Rodolfo Luisis
M_____ S_____ Roll Call Vote

First Reading of Ordinance 2023-05 Annexation of Parcel ID N36E006-Fely Palafox
M_____ S_____ Roll Call Vote

First Reading of Ordinance 2023-06 Uptown Estates Comprehensive Plan Amendment
M_____ S_____ Roll Call Vote

First Reading of Ordinance 2023-07 Uptown Estates Rezoning
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

January 17, 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: Kristen Green, Mark Hitchcock, and Chairwoman Diana Yost. Shadae Solomon was absent.

II. APPROVAL OF THE MINUTES

Board Member Green made a motion for approval of the minutes for November 15, 2022, seconded by Board Member Hitchcock.

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member Hitchcock-Yes

Motion passed 3-0

III. PUBLIC HEARING

Board Member Green made a motion for approval of the Ordinance 2023-01 Annexation of Parcel ID's N36-101 and N36-219-John and Alice Wintersteen seconded by Board Member Hitchcock. City Manager Naugler apprised board members about the Ordinance.

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member Hitchcock-Yes

Motion passed 3-0

IV. ADJOURNMENT

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

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes
Board Member Hitchcock-Yes
Motion passed 3-0

Meeting adjourned at 6:05 P.M.

Attest:

Deanna Naugler, City Manager

Amy Flood, City Clerk

ORDINANCE NO. 2023-03

AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA, ANNEXING BY VOLUNTARY PETITION CERTAIN REAL PROPERTY TAX IDENTIFICATION PARCEL NUMBERS Q31-003 and Q31A001 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, Ginny Browning, 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
Q31-003 and Q31A001	Ginny Browning

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 _____, 2023.

**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: (Q31-003)

The Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 31, Township 21 South, Range 23 East, Sumter County, Florida, LESS and EXCEPT: begin at the Southwest corner; run thence North 650 feet; thence East 315 feet; thence South 650 feet; thence West 315 feet to the Point of Beginning; AND LESS and EXCEPT: begin at the Northwest corner, run thence South 70 yards; thence East 140 yards; thence North 70 yards; thence West 140 yards to the Point of Beginning.

AND

All of LONE OAK SUBDIVISION, according to the Plat thereof as recorded in Plat Book 2, Page 7, Public Records of Sumter County, Florida, LESS: Begin at the Northwest corner of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 31, Township 21 South, Range 23 East, Sumter County, Florida; run East 40 feet to the Point of Beginning; continue East 76.1 feet; thence North 12.5 feet; thence West 76.1 feet; thence South 12.5 feet to the Point of Beginning.

AND

The North 482.4 feet of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 31, Township 21 South, Range 23 East, Sumter County, Florida, LESS and EXCEPT the West 414 feet thereof.

Parcel Q31A001

The Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 31, Township 21 South, Range 23 East, Sumter County, Florida, LESS and EXCEPT: begin at the Southwest corner; run thence North 650 feet; thence East 315 feet; thence South 650 feet; thence West 315 feet to the Point of Beginning; AND LESS and EXCEPT: begin at the Northwest corner, run thence South 70 yards; thence East 140 yards; thence North 70 yards; thence West 140 yards to the Point of Beginning.

AND

All of LONE OAK SUBDIVISION, according to the Plat thereof as recorded in Plat Book 2, Page 7, Public Records of Sumter County, Florida, LESS: Begin at the Northwest corner of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 31, Township 21 South, Range 23 East, Sumter County, Florida; run East 40 feet to the Point of Beginning; continue East 76.1 feet; thence North 12.5 feet; thence West 76.1 feet; thence South 12.5 feet to the Point of Beginning.

AND

The North 482.4 feet of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 31, Township 21 South, Range 23 East, Sumter County, Florida, LESS and EXCEPT the West 414 feet thereof.

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:

Ginny Browning

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

SUMTER COUNTY
PARCEL NUMBER

Q31-003
Q31A001

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~~

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;
2. 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;
3. 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.
4. 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 14th day of February, 2023.

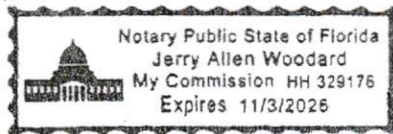
OWNER(S) OR LEGAL REPRESENTATIVE

Gary Browning
Signature[Signature]
Witness

Signature

Witness

This petition was acknowledged before me on 14th day of February, 2023. Personally known to me or identification provided Florida Driver's License.

[Signature]
Notary Signature Jerry Woodard

OFFICIAL USE ONLY:

Received : City of Webster, Florida, on 14th day of February, 2023.Present City Zoning March 9, 2023

ORDINANCE NO. 2023-04

AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA, ANNEXING BY VOLUNTARY PETITION CERTAIN REAL PROPERTY TAX IDENTIFICATION PARCEL NUMBERS N25-016 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, Rodolfo Luisis, 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
N25-016	Rodolfo Luisis

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 _____, 2023.

**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: (N25-016)

**N 1/2 of SE 1/4 of SE 1/4, Section 25, Township 21 South, Range 22 East, Sumter County, Florida.
LESS two (2) acres off the North side; and LESS Highway 471 right-of-way.**

All being in Sumter County, Florida.



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

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

Rodolfo J Luisis

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

SUMTER COUNTY
PARCEL NUMBER

N25-016 at 8836 SR 471 Webster FL.
33597

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;
2. 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;
3. 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.
4. 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 18th day of January, 2023.

Signature

Jose Salgado Montes
Witness

Signature

Fernando Valentino
Witness

This petition was acknowledged before me on 18th day of January, 2023. Personally known to me or identification provided FDL 'L220.730.57.219.1.



Jose Salgado Montes
Notary Signature

OFFICIAL USE ONLY:

Received : City of Webster, Florida, on 8th day of February, 2023.

Present City Zoning March 9, 2023

ORDINANCE NO. 2023-05

AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA, ANNEXING BY VOLUNTARY PETITION CERTAIN REAL PROPERTY TAX IDENTIFICATION PARCEL NUMBERS N36E006 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, Fely Palafox, 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
N36E006	Fely Palafox

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 _____, 2023.

**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: (N36E006)

Tract 6, ROGER'S SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 4, Page 47, Public Records of Sumter County, Florida.

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:

Fely Palfox

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

SUMTER COUNTY
PARCEL NUMBER

N 36 E 006

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;
2. 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;
3. 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.
4. 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 28th day of February, 20 23.

OWNER(S) OR LEGAL REPRESENTATIVE

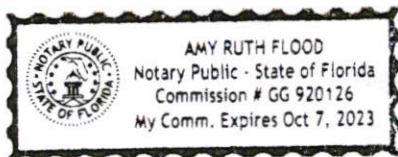
[Signature]
Signature

[Signature]
Witness

Signature

Witness

This petition was acknowledged before me on 28th day of February, 2023. Personally known to me or identification provided drivers license.



[Signature]
Notary Signature

OFFICIAL USE ONLY:

Received : City of Webster, Florida, on 28th day of February, 2023.

Present City Zoning March 9, 2023.

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:

Antonio Palafox

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

SUMTER COUNTY

PARCEL NUMBER

N36E006

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;
2. 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;
3. 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.
4. 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 _____ day of _____, 20____.

OWNER(S) OR LEGAL REPRESENTATIVE

Antonio G. Palacios
Signature

[Signature]
Witness

Signature

Witness

This petition was acknowledged before me on 11 day of January, 2023. Personally known to me or identification provided Drivers License.



Amy Ruth Flood
Notary Signature

OFFICIAL USE ONLY:

Received : City of Webster, Florida, on 11th day of January, 2023.

Present City Zoning March 9, 2023.

ORDINANCE NO. 2023-06

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 4.9 ACRES (TAX PARCEL IDENTIFICATION NUMBER N36E006), 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, Antonio and Fely Palafox, whose mailing address is PO Box 535, Groveland, FL (Tax Parcel Identification Number N36E006), are the owners of the property which is the subject of this Ordinance; and

WHEREAS, the real property, totaling 4.9 acres MOL in size, is located on north side of CR 740; and

WHEREAS, Fely Palafox has authorized Dalton Thomas to apply for a land use amendment ; and

WHEREAS, Dalton Thomas applied to the City of Webster, for annexation into the City with a Commercial future land use; and

WHEREAS, the City Council of the City of Webster, Florida has taken, as implemented by City staff, all actions relating to the future land use amendment 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 B).

(b). The property which is the subject of this *Comprehensive Plan* amendment is as described as follows:

TRACT 6 ROGERS SUBD PB 4 PG 47

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(5)(c), 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 small scale amendment is in compliance with controlling State law.

PASSED AND ENACTED this _____ day of _____, 2023.

CITY COUNCIL OF THE CITY OF
WEBSTER, FLORIDA

Bobby Yost, Mayor

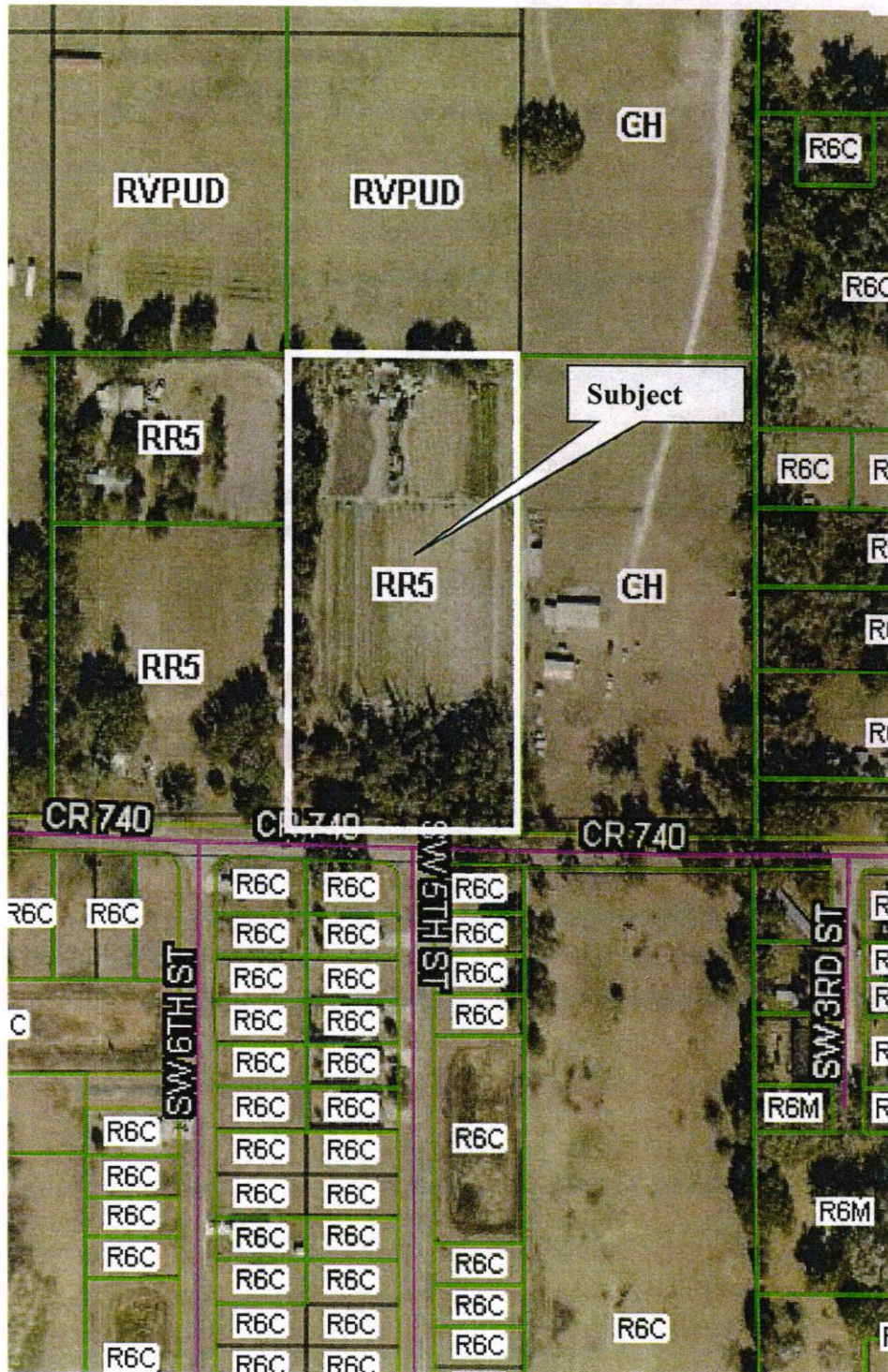
ATTEST:

Approved as to form and Legality:

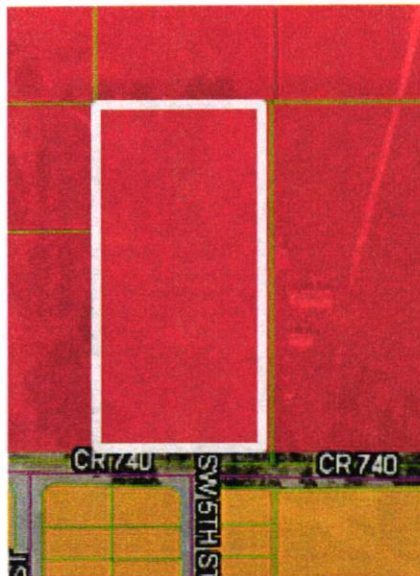
Amy Flood
City Clerk

William L. Colbert
City Attorney

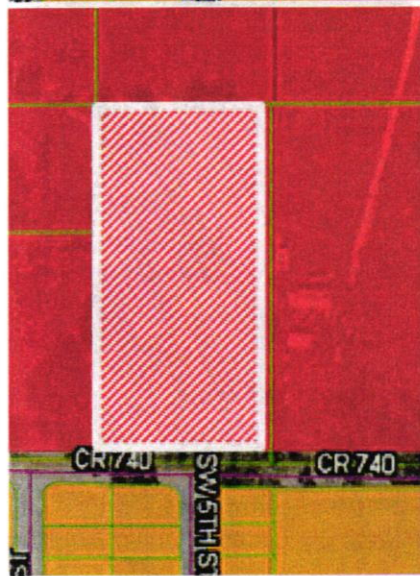
Attachment A
Map






Attachment B



Existing Future Land
Use Designations



Proposed Future Land
Use Designations

-  Webster-Urban Residential
-  County-Commercial
-  Webster-Commercial

FUTURE LAND USE MAP AMENDMENT
CITY OF WEBSTER LOCAL PLANNING AGENCY
March 9, 2023

CITY OF WEBSTER CITY COUNCIL
March 16, 2023
April 20, 2023

CASE NO.:	SS-23-01353
LANDOWNER:	Fely Palafox
REPRESENTATIVE:	Dalton Thomas
REQUESTED ACTION:	Amend the future land use designation from Commercial (Sumter County), to commercial (City of Webster) on 4.85 acres MOL following annexation.
PARCEL NO:	N36E006
LEGAL DESCRIPTIONS:	TRACT 6 ROGERS SUBD PB 4 PG 47
EXISTING ZONING:	RR5 (Rural Residential - County)
EXISTING USE:	Vacant
GENERAL LOCATION:	North side of CR 740 across from SW 5 th St.
<u>SURROUNDING LAND USE:</u>	<u>SURROUNDING ZONING:</u>
NORTH: Vacant	NORTH: RVPUD (RV park – County)
SOUTH: Single Family Residential	SOUTH: R6C (Suburban Residential)
EAST: Agriculture	EAST: CH (Heavy Commercial – County)
WEST: Rural homesites	WEST: RR5 (Rural Residential – County)

CASE SUMMARY:

The subject property is located on the north side of CR 740, across from Live Oak Park (Homes in Partnership) (Map 1). The property is in the process of being annexed into the City of Webster and retains a County commercial future land use assignment (Map 2). This amendment will add the property onto the City of Webster Future Land Use Map. The owner is requesting Commercial Future Land Use consistent with the current County designation. The applicant has stated that their intention is to develop the property as an RV park.

CASE ANALYSIS:

This application will allow the commercial development of a 4.85 acre parcel. The Commercial Future Land Use District will allow for either Heavy Commercial, Light Commercial, or RV Park zoning. The property is located within the Urban Development Area and Joint Planning Area. Water and sewer service are accessible. The proposed land use amendment does not demonstrate any of the characteristics of urban sprawl (Attachment A). The proposed project furthers the following policies of the Future Land Use and Economic Development Elements.

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.

The property fronts on CR 740, a collector road. Central water and sewer is available for future development.

Policy 1.6.3 Commercial and Industrial Conversion

Amendments of the Future Land Use Map to convert land to General Commercial or Industrial future land use category shall be based on the following criteria:

- a. New commercial and industrial land uses shall gain access from a collector or arterial roadway;
The parcel fronts on CR 740 a collector roadway.
- b. New commercial or industrial sites shall have few environmental constraints or it has been demonstrated that environmental impacts can be mitigated.
There are no known environmental constraints on the property.
- c. Project site is of sufficient size to meet land development regulations, including road access, internal circulations, parking, drainage, and setback/buffers;
The parcel is large enough to accommodate commercial development.

- d. New industrial and commercial land uses within a designated utility service area shall connect to available public facilities or have a service agreement with the utility provider addressing future connection;
Water and sewer service is available.
- e. For new commercial or industrial uses there are necessary facilities and services available or planned to support the commercial or industrial use; and
Facilities and services are available.
- f. Relationship and proximity to the Economic Activity Centers identified in Policy 8.1.1 and Map 8-1 of the Economic Development Element and Primary Economic Activity Centers identified on Map 1-8.
The location is located near the Webster downtown.

DEVELOPMENT SERVICES DEPARTMENT STAFF CONCLUSIONS:

Staff deems the application sufficient and in compliance with the requirements of the City of Webster Unified Comprehensive Plan and recommends **Approval:**

Map 1
Project Location



Attachment B Future Land Use



Existing Future Land
Use Designations

Proposed Future Land
Use Designations

-  Webster-Urban Residential
-  County-Commercial
-  Webster-Commercial

Attachment D

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 project will provide new economic options in a compact manner.
- 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 located in the City of Webster near developed areas.
- III. *Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.*
The proposed development is not isolated, linear, or creating a ribbon pattern.
- 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 has no significant natural resources that require protection.
- 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 site does not contain unique or prime farmland
- VI. *Fails to maximize use of existing public facilities and services.*
The project will be served by public utilities.
- VII. *Fails to maximize use of future public facilities and services.*
The project will be served by public utilities.
- 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 project site is in the City of Webster and will not require a disproportionate increase in the cost, time, money or energy to serve.

IX. *Fails to provide a clear separation between rural and urban land uses.*

The project site is in an urbanized area.

X. *Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.*

The subject property does not discourage infill or redevelopment.

XI. *Fails to encourage a functional mix of uses.*

The project does not discourage a functional mix of uses.

XII. *Results in poor accessibility among linked or related land uses.*

The project will not result in poor accessibility among related land uses.

XIII. *Results in the loss of significant amounts of functional open space.*

The project will not result in a significant loss 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 proposed project will direct development to a property with little impact on protected natural resources.

II. *Promotes the efficient and cost-effective provision or extension of public infrastructure and services.* The project will be served by public utilities.

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 does not impact suburban residential uses.

IV. *Creates a balance of land uses based upon demands of residential population for the nonresidential needs of an area.* The proposed project will improve the balance of land uses in an urbanizing area.

The proposed land use change does not demonstrate any of the characteristics of urban sprawl as defined by the applicable State Statutes.

ORDINANCE NO. 2023-07

AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA PROVIDING FOR THE REZONING OF REAL PROPERTY TOTALING 4.85 ACRES, MORE OR LESS, IN SIZE (TAX PARCEL IDENTIFICATION NUMBER N36E006) WITHIN THE CITY LIMITS (MAP OF PROPERTY ATTACHED) TO RVPUD 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, Fely Palafox, whose mailing address is PO Box 535, Groveland, FL (Tax Parcel Identification Number N36E006), is the owner of the property which is the subject of this Ordinance; and

WHEREAS, the real property, totaling 4.85 acres MOL in size, is located on north side of CR 740; and

WHEREAS, Fely Palafox has authorized Dalton Thomas to apply for a land use amendment and rezoning; and

WHEREAS, Dalton Thomas applied to the City of Webster, for annexation into the City with a Commercial future land use and RVPUD zoning; and

WHEREAS, the City Council of the City of Webster, Florida has taken, as implemented by City staff, all actions relating to the rezoning 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 rezoning of the subject property as well as the recitals (whereas clauses) to this Ordinance.

(b). The subject property, which is 4.85 acres MOL in size, is located on the north side of CR 740 (Tax Parcel Number N36E006).

(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 the Attachment of this Ordinance, and totaling is 4.85 acres MOL in size, shall be rezoned from Rural Residential-5 (RR5-County) to Recreational Vehicle Park (RVPUD) zoning district/classification:

TRACT 6 ROGERS SUBD PB 4 PG 47

(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 B 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 2023-_____ relating to the Comprehensive Plan amendment becomes effective.

PASSED AND ENACTED this _____ day of _____, 2022.

CITY COUNCIL OF THE CITY
OF WEBSTER, FLORIDA

Bobby Yost, Mayor

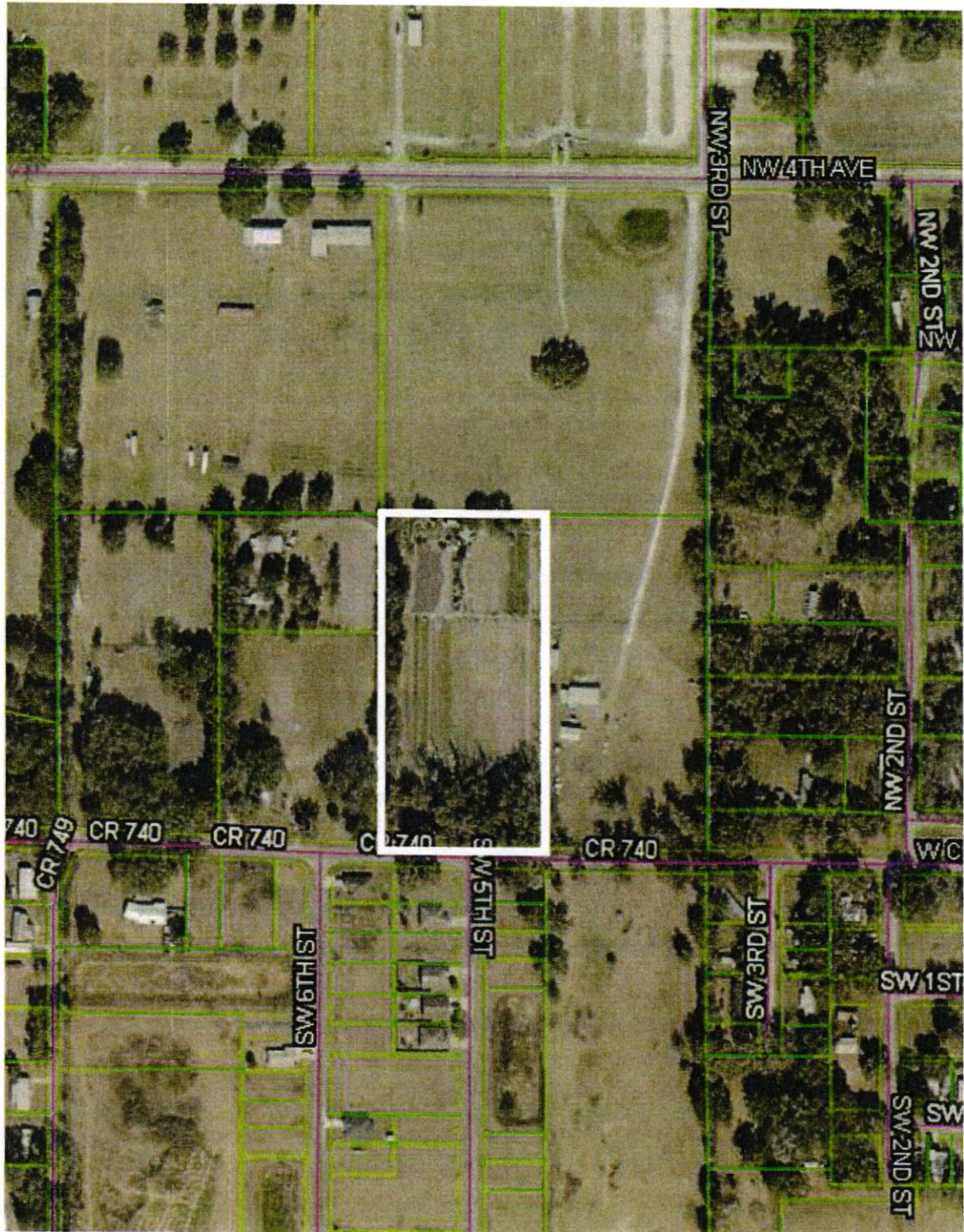
Approved as to form and

ATTEST:
Legality:

Amy Flood
City Clerk

William L. Colbert
City Attorney

Attachment A
MAP



**CITY OF WEBSTER
REZONING APPLICATION
CITY OF WEBSTER LOCAL PLANNING AGENCY
March 9, 2023**

**CITY OF WEBSTER CITY COUNCIL
March 16, 2023
April 20, 2023**

CASE NUMBER: R-23-001354

LANDOWNER: Fely Palafox

REPRESENTATIVE: Dalton Thomas

REQUESTED ACTION: Rezone 4.85 acres from RR5 (County) to RVPUD following annexation.

PARCEL NO: N36E006

LEGAL DESCRIPTIONS: TRACT 6 ROGERS SUBD PB 4 PG 47

EXISTING ZONING: RR5 (County)

EXISTING USE: Vacant

GENERAL LOCATION: North side of CR 740 across from SW 5th St.

SURROUNDING LAND USE AND ZONING

The applicant is requesting to rezone 4.85 acres from RR5 (Rural Residential-County) to RVPUD (Recreational Vehicle Park Planned Unit Development). The property is located on the north side of CR 740, across from Live Oak Park (Homes in Partnership) (Map 1). It is in the process of being annexed into the City of Webster and retains a County Rural Residential zoning assignment.

Properties on the north side of CR 740 are designated Commercial on the County's Future land Use Map. Zoning assignments (Map 2) range from Rural Residential (west), to Heavy Commercial (east), to RVPUD (north). Parcels east and north are owned by RAM Swap LLC and are used as open storage for the flea market operations. Properties west of the site have homes on acreage. The south side of CR 740 is in the City limits. It is Urban Residential on the Future Land Use Map, is zoned R6C, and is developed as suburban residential homesites. The surrounding area is a mixture of residential and commercial uses.

The property is outside the 100-year floodzone.

CASE SUMMARY

The applicant is requesting this rezoning to develop a RV resort with 38 RV sites,(Attachment). Amenities include a dog park and washroom/laundry. The park will connect to City utility services. The applicant has stated that the lots will be at least 70' X 40'. They are asking to build upto 45 sites. The conceptual plan does not show any landscape buffers. The following exceptions from LDC standards are being requested:

1. Use of the stormwater retention pond to meet open space requirements (LDC 13-561(b)).
2. Relief from the requirement to have five acres for a new RV park (LDC 13-422(b)(5)(a)(3)).

CASE ANALYSIS:

Section 13-313 (e) (1) (c) *General Administration of Amendment and Permit Applications- Reviews and Approvals 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 proposed for annexation into the City.
- b) Community need, or lack of community need.
There is no specific community need for the proposed use..
- c) Benefits to the community.
The rezoning will benefit the landowner rather than the community.
- d) The rights of private property owners.
The rezoning will not impinge on the rights of adjacent property owners.

Section 13-422(b), *RVPUD (Recreational Vehicle Planned Unit Development) Zoning District*, provides standards for the development of a new RV park. The following standards apply:

3. **Utilities.** *The proposed project meets the requirement to connect to City utilities.*
4. **Location.** *The proposed project is located on a collector road. It meets this standard*
5. **Size.** *The proposed project does not meet the minimum size requirements of this section. Five acres is required within the Commercial Future Land Use District. The proposed project is only 4.85 acres. The lack of acreage limits the applicants ability to provide landscape buffers, open space, and recreational facilities. The requests for relief from open space standards is due to the small project site.*
6. **Densities.** *The project proposes upto ten units per acre which meets the LDC density standards.*
7. **Commercial facilities.** *None are required or proposed.*
8. **Open Space.** *The LDC requires 25% of the tract be maintained as open space. Open space is addressed in section 13-561 of the LDC. It states that the purpose of open space is to provide passive and active recreation to residents. Part b further states that required open space shall be exclusive of areas whose primary purposed is other*

than passive or active recreation. The only open space shown on the conceptual plan providing active or passive recreation is a dog park.

The applicant is requesting to use the drainage pond to meet this requirement. While Council has approved this type of relief for another new RV park within its jurisdiction, that park had preserved wetlands incorporated into the drainage ponds and provided numerous active recreational amenities.

Due to the lack of other green space and active recreational facilities, staff does not recommend reducing the open space standard.

9. RV occupancy. *The proposed project meets this standard.*

10. Principal uses. *The proposed project meets this standard.*

11. Design. *The proposed project is required to be designed so as to prevent traffic congestion, provide for efficient use of public services, and preserve the integrity of neighborhoods. This project meets these standards.*

Section 13-563(c)(2), *Buffer Design-RVPUD Zoning District*, provides standards for landscape buffers in a new RV park. The following standards apply:

- a) **On property lines adjoining public roads the separation area width shall be 30 feet.** *The proposed project meet this requirement.*
- b) **On property lines adjoining a land use zone other than RVPUD the buffer width shall be 20 feet,**... *Landscape buffers are required on the east and west property lines. The conceptual plan does not provide for these buffers.*
- c) **No buffer is required on property lines adjoining a RVPUD zoning district.** *The project meets this requirement.*
- d) **Buffers shall not be used for recreation area, camping site, vehicle parking area, utility site or for any other above ground structure or use,**... *buffers along the east and west property lines will need to meet this standard.*
- e) **Hazardous, incendiary, noxious or pernicious materials.** *The project meets this requirement.*

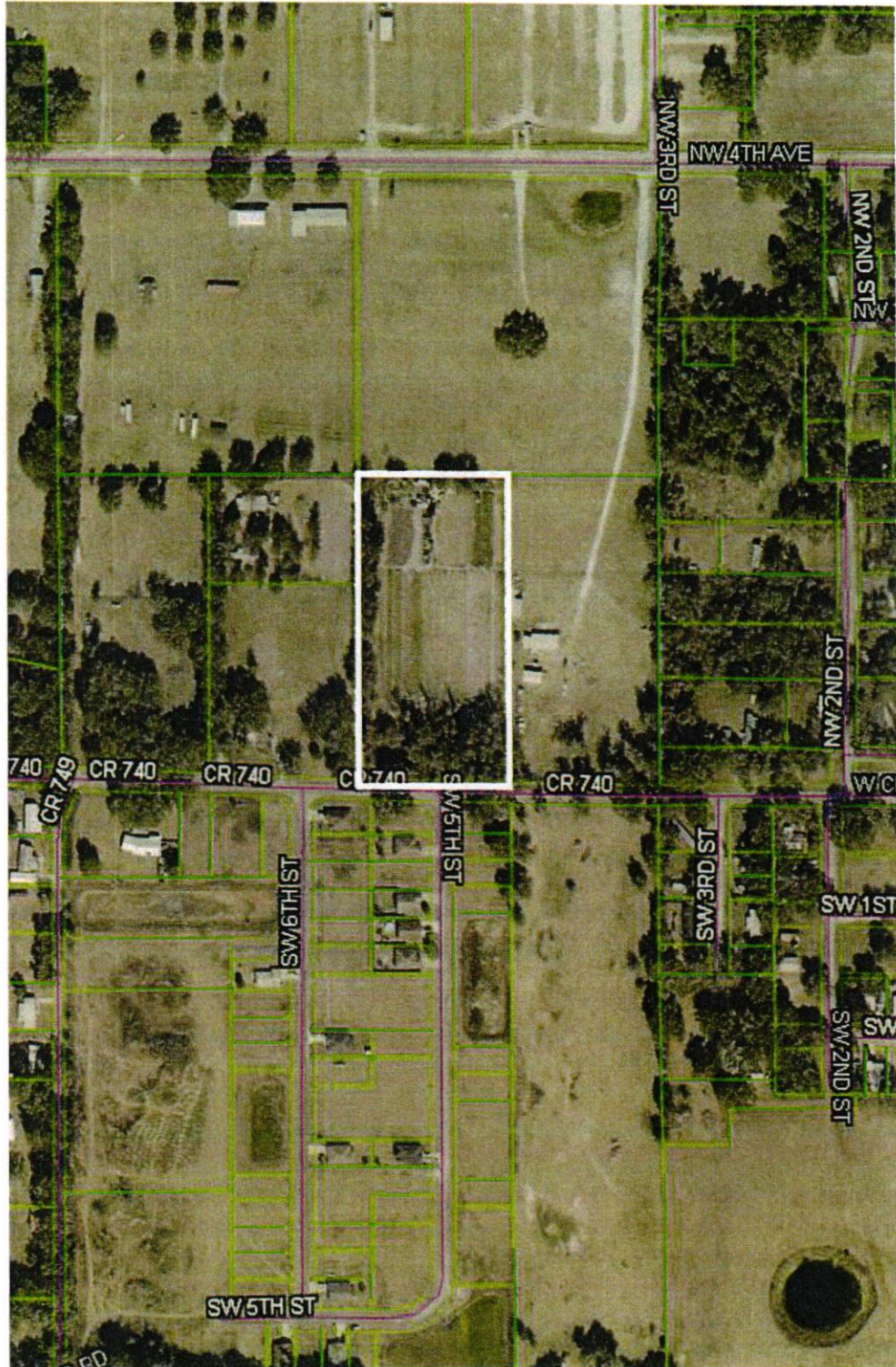
Staff has reviewed property ownership, authorizations, and SunBiz records.

DEVELOPMENT SERVICES DEPARTMENT STAFF CONCLUSIONS

Staff deemed the application sufficient for review and consideration by Council. Staff finds the application not in compliance with the minimum requirements of the Webster Land Development Code and recommends denial based on the following concerns:

1. The proposed park does not meet the minimum acreage requirement for a new RV Park. The small size prevents the project from providing adequate open space and amenities to serve the guests at the density requested.
2. The proposed project does not meet the minimum open space requirement or LDC standards for open space design. The applicant has requested to use a drainage pond to meet the minimum open space requirement. Staff do not recommend approval of the relief.
3. The proposed project does not meet buffer or screening requirements along the east and west property lines.

Map 1
General Location



Map 2
Surrounding Area with Zoning Designations



Attachment A
Conceptual Master Plan



Farnsworth, Sue

From: noreply@civicplus.com
Sent: Friday, January 20, 2023 4:02 PM
To: @Planning
Subject: [Forwarded from Intradyn] [Thu Jan 26 19:00:31 2023] Online Form Submittal: Land Use Amendment and/or Rezoning Application

Land Use Amendment and/or Rezoning Application

Please select all that apply: Rezoning, Land Use Amendment (<50>

(Section Break)

Applicant Information:

Name of Property Owner(s): Antonio Palafox
Address: PO Box 535, Groveland, FL 34736
Owner Phone: 8184780179
Email: uptownestatesfl@gmail.com
Name of Agent: Dalton Thomas
Address: 295 Niagara ave orange city, FL 32763
Agent Phone: 3522506302
Email: uptownestatesfl@gmail.com

(Section Break)

Property Information:

Legal Description of the property (lengthy descriptions may be attached): Tract 6 Rogers SUBD PD 4 PG 47 (As shown on property appraisers)
Street Address: Unassigned address
Parcel #: N36E006
Current Use: ACRG NOT ZND AG (09900)

Current Future Land Use: TBD (JPA)

Current Zoning: AG

Requested Future Land Use: Commercial

Requested Zoning: RVPUD

Acreage requested: 4.85

Reason for the request: To annex, rezone, and develop RV Resort

Please Provide:

-
- Deed or other proof of ownership
- Signed authorization if applicant is not the land owner
- Legal description of the area under application. (lengthy or complex legal descriptions may be required in digital/text format)

Please combine your document into one file before uploading them. [Rezone Authorization.pdf](#)

All properties for which applications require public hearings before the PZSM or commission shall be posted by the applicant with plaques furnished by the director.

- Such plaques shall identify the application, the requested action, and the date, time and place of hearing.
- Plaques shall be sufficiently conspicuous in terms of size, location, and content to provide reasonably adequate notice to potentially interested persons of the matter that will appear on the authority's agenda.
- Such notices shall be posted at least seven (7) days prior to the first hearing at which the subject property will be considered, at locations specified by the director.
- (Sumter County Land Development Code Sec. 13-315(a)(2).

By typing my name below 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. Dalton W. Thomas

A public hearing before the Planning Zoning Special Master (PZSM) will be scheduled once the application is found to be complete.

- We will let you know the location and time of the hearing.
- Your appearance or authorized representative is required at this hearing.
- Failure for you or your authorized representative's attendance will cause your application to be handled in accordance with the policy adopted in the Sumter County Land Development Code.
- Minor Special Use Permits are decided by the PZSM.

- Conditions of approval may be assigned to assure compatibility with the neighborhood.
- Hearings may be postponed by the PZSM at his/her discretion.

Email not displaying correctly? [View it in your browser.](#)

