

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



AGENDA
PLANNING & ZONING
CITY OF WEBSTER

Webster City Hall, 85 E. Central Avenue

February 8, 2024 - 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 11, 2024
M _____ S _____ Roll Call Vote

III. PUBLIC HEARING

Approval of Ordinance 2024-06 Annexation-Parcel ID T06-050, T06-070-Fentzlaff
M _____ S _____ Roll Call Vote

Approval of Ordinance 2024-07 Comp Plan Amendment-Parcel ID T06-050, T06-070-Fentzlaff
M _____ S _____ Roll Call Vote

Approval of Ordinance 2024-08 Rezoning-Parcel ID T06-050-Fentzlaff
M _____ S _____ Roll Call Vote

Approval of Ordinance 2024-09 Annexation-Parcel ID T07D002-Ramirez
M _____ S _____ Roll Call Vote

Approval of Ordinance 2024-10 Comp Plan Amendment-Parcel ID T07D002-Ramirez
M _____ S _____ Roll Call Vote

Approval of Ordinance 2024-11 Rezoning-Parcel ID T07D002-Ramirez
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 11, 2024

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, Shadae Solomon, Sandra McClanahan, Darrell Elliott and Chairwoman Diana Yost.

II. APPROVAL OF THE MINUTES

Board Member Solomon made a motion for approval of the minutes for November 9, 2023, seconded by Board Member Green.

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member Solomon-Yes

Board Member McClanahan-Yes

Board Member Elliott-Yes

Motion passed 5-0

III. PUBLIC HEARING

Board Member Green made a motion for approval of Ordinance 2024-01 Comp Plan Amendment- Parcel ID N36-101, N36-219-Wintersteen, seconded by Board Member Solomon.

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member Solomon-Yes

Board Member McClanahan-Yes

Board Member Elliott-Yes

Motion passed 5-0

Board Member Green made a motion for approval of Ordinance 2024-02 Rezoning-Parcel ID N36-101, N36-219-Wintersteen, seconded by Board Member McClanahan.

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member Solomon-Yes

Board Member McClanahan-Yes

Board Member Elliott-Yes

Motion passed 5-0

Board Member Green made a motion for approval of Ordinance 2024-03 Comp Plan Amendment-Parcel ID T07-050-Thornton, seconded by Board Member McClanahan.

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member Solomon-Yes

Board Member McClanahan-Yes

Board Member Elliott-Yes

Motion passed 5-0

Board Member Green made a motion for approval of Ordinance 2024-04 Rezoning-Parcel Parcel ID T07-050-Thornton, seconded by Board Member McClanahan.

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member Solomon-Yes

Board Member McClanahan-Yes

Board Member Elliott-Yes

Motion passed 5-0

Board Member Green made a motion for approval of Ordinance 2024-05 Interlocal Service Boundary Amendment, seconded by Board Member McClanahan.

Planner Manager Jennifer Bryla apprised board members about the Ordinance. City Manager Deanna Naugler apprised the board members by phone.

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member Solomon-No

Board Member McClanahan-No

Board Member Elliott-No

Motion failed 3-2

IV. ADJOURNMENT

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

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member Solomon-Yes

Board Member McClanahan-Yes

Board Member Elliott-Yes

Motion passed 5-0

Meeting adjourned at 6:27 P.M.

Deanna Naugler, City Manager

Attest:

Amy Flood, City Clerk

ORDINANCE NO. 2024-06

AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA, ANNEXING BY VOLUNTARY PETITION CERTAIN REAL PROPERTY TAX IDENTIFICATION PARCEL NUMBERS T06-050 and T06-070 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, Richard M. Fentzalf, 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
T06-050 and T06-070	Richard M. Fentzalf

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 _____, 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

T06-050

BEGIN 360 FEET SOUTH AND 300 FEET EAST OF THE NORTHWEST CORNER OF THE SOUTHEAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 6, TOWNSHIP 22 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA;
THENCE RUN SOUTH 300 FEET, THENCE EAST 75 FEET, THENCE NORTH 300 FEET; THENCE WEST 75 FEET
TO THE POINT OF BEGINNING.



T06-070

BEGIN 360 FEET SOUTH AND 375 FEET EAST OF THE NORTHWEST CORNER OF THE SOUTHEAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 6, TOWNSHIP 22 SOUTH, SOUTH 300 FEET, THENCE RUN EAST 381 FEET; THENCE RUN NORTH 300 FEET; THENCE WEST 381 FEET TO THE POINT OF BEGINNING. TOGETHER WITH AN EASEMENT FOR INGRESS AND EGREE OVER AND ACROSS THE SOUTH 30 FEET OF THE NORTH 360 FEET OF THE WEST 405 FEET OF THE SOUTHEAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SAID SECTION 6, LESS RIGHT-OF-WAY FOR COUNTY ROAD 723 ACROSS THE WEST SIDE THEREOF. SUBJECT IN OFFICIAL RECORD BOOK, 812, PAGE 57 OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA.



ORDINANCE NO. 2024-07

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 3.1 ACRES (TAX PARCEL IDENTIFICATION NUMBERS T06-050 AND T06-070), AND DESCRIBED IN THIS ORDINANCE FROM THE RURAL RESIDENTIAL FUTURE LAND USE DESIGNATION (COUNTY) TO THE RURAL RESIDENTIAL 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, Richard M. Fentzlaff, mailing address: 3818 SE 108th LN, Webster FL 33597 (Tax Parcel Identification Numbers T06-050 and T06-070) is the owner of the property which is the subject of this Ordinance; and

WHEREAS, The real property, totaling 3.1 +/- acres in size, is located on the north side of SE 108th LN; and

WHEREAS, Richard M. Fentzlaff owned the subject property, both parcels T06-050 and T06-070, in November 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 Rural Residential (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 Rural Residential (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 small scale amendment is in compliance with controlling State law.

PASSED AND ENACTED this 21st day of March, 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

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



Proposed Future Land Use
Designations

ATTACHMENT 2
Legal Description

PARCEL 1

I.D. No.: T06-050

Legal Description: Begin 360 feet South and 300 feet East of the Northwest corner of the Southeast 1/4 of the Southeast 1/4 of Section 6, Township 22 South, Range 23 East, Sumter County, Florida; thence run South 300 feet; thence run East 75 feet; thence run North 300 feet; thence run West 75 feet to the Point of Beginning.

PARCEL 2

I.D. No.: T06-070

Legal Description: Begin 360 feet South and 375 feet East of the Northwest corner of the SE 1/4 of the SE 1/4, Section 6, Township 22 South, Range 23 East, Sumter County, Florida; thence run South 300 feet; thence run East 381 feet; thence run North 300 feet; thence run West 381 feet to the Point of Beginning. TOGETHER WITH an easement for ingress and egress over and across the South 30 feet of the North 360 feet of the West 405.00 feet of the SE 1/4 of the SE 1/4 of said Section 6, LESS right of way for County Road No. 723 across the West side thereof. SUBJECT TO the prescriptive easement as recorded in Official Records Book 812, Page 57, of the Public Records of Sumter County, Florida.

CITY OF WEBSTER
SMALL SCALE COMPREHENSIVE PLAN AMENDMENT

PLANNING & ZONING
FEBRUARY 8, 2024

CITY COUNCIL
FEBRUARY 15, 2024
MARCH 21, 2024

CASE NUMBER: SS-24-00499

LANDOWNER: Richard Fentzlaff

APPLICANT: City of Webster

REQUESTED ACTION: A Small-Scale Land Use Amendment on 3.1 acres MOL to change the Future Land Use Assignment from County – Rural Residential to City of Webster – Rural Residential following annexation.

PARCEL NUMBER: T06-050 and T06-070

LEGAL DESCRIPTION: See Attachment 1

PARCEL SIZE: T05-050 (.52 acres) T06-070 (2.6 acres)

LOCATION: North side of SE 108th LN, off CR 723 (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 and 3) consistent with the Webster Joint Planning Area Agreement Land Use Map. The property consists of two parcels, each have a residence. The property is currently designated Rural Residential on the County Future Land Use Map. The surrounding properties are also designated Rural Residential on the County Future Land Use Map. This Amendment will allow for continued residential use. The surrounding area is rural residential in nature with homes on parcels of varying sizes. The property is located within the Urban Development Area (UDA) of the County, which means utilities are or will be available.

Presently, parcel T06-050 is a 1/2 (0.5) acre in size, falling below the minimum density specified for the Rural Residential Future Land Use designation according to Table 1.1 in the County's

Comprehensive Plan, which allows 1 unit per acre, therefore 1 acre is required. However, following the annexation, Land Use Amendment and adoption of the zoning change, the owner will divide the two parcels into three 1-acre parcels, which is detailed in the concurrent rezoning application. This will bring the parcels into compliance with the County's Comprehensive Plan and City of Webster's Land Development Code, as each parcel will be 1-acre or larger in size.

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 meet four (4) of the sprawl test criteria in Florida Statutes Chapter 163.3177.9(b) (Attachment 2).

Environmental Resources

The property consists of open land with native vegetation and wooded areas.

Soils and Flood Plain The Soil Survey of Sumter County, Florida (USDA,2022) identifies this property as having a combination of Sparr fine sand, Ft. Green fine sand and Sumterville fine sand which are poorly draining and located on low and upland ridges. (Map 4) A portion of the property is in the Area of Special Flood Hazard (Flood Zone AE). (Map 5)

Historic Resources

This location does not appear on the Master Site File of Historic Resources.

Population and Housing

The proposed amendment should ultimately provide additional land for housing.

CONCURRENCY ANALYSIS

Potable Water & Sewer

The property will be served by onsite utilities.

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:

Future Land Use Policy 1.3 Future Land Use Pattern

The future land use pattern shall discourage the proliferation of urban sprawl while promoting orderly compact growth. The County and Cities shall utilize a variety of planning tools to

balance efficient economic development and urban growth while maintaining rural and agricultural character.

The surrounding area is rural and residential in nature. The rural character will be maintained. The property owner desires to split the parcel and adjust the lot lines to create three 1-acre parcels which is consistent with the Rural Residential Future Land 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 residential neighborhood and will allow for continued residential 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 is currently not an option for the property.

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

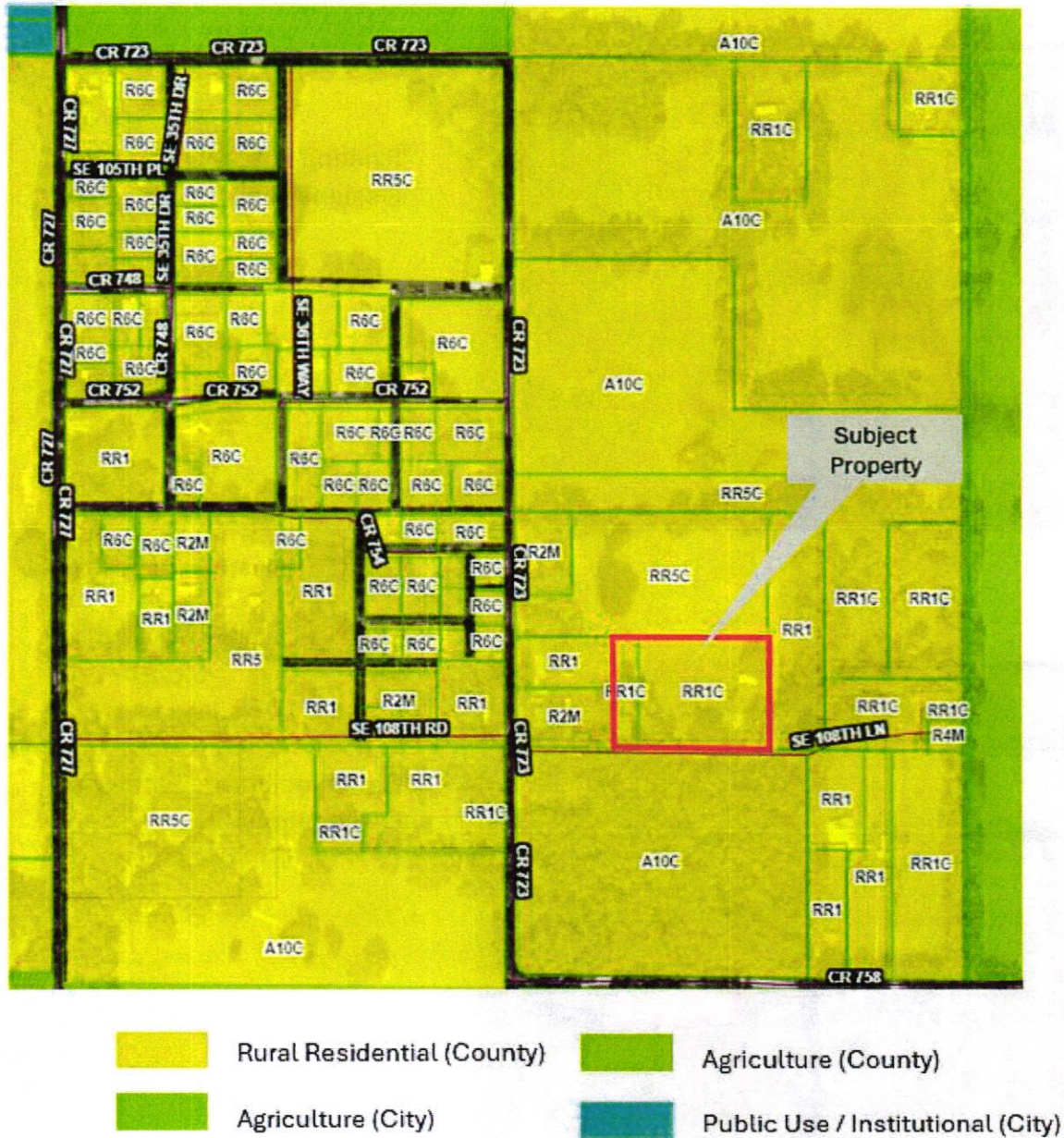
Staff deemed the application sufficient for review. Staff has found the request in compliance with the minimum requirements of the Webster County Land Development Code and Comprehensive Plan and recommends approval of the petition.

Notices Sent: 22

**Map 1
General Location**





Map 2
Zoning and Future Land Use of Surrounding Area



Map 3 Future Land Use Map



Existing Future Land Use
Designations

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



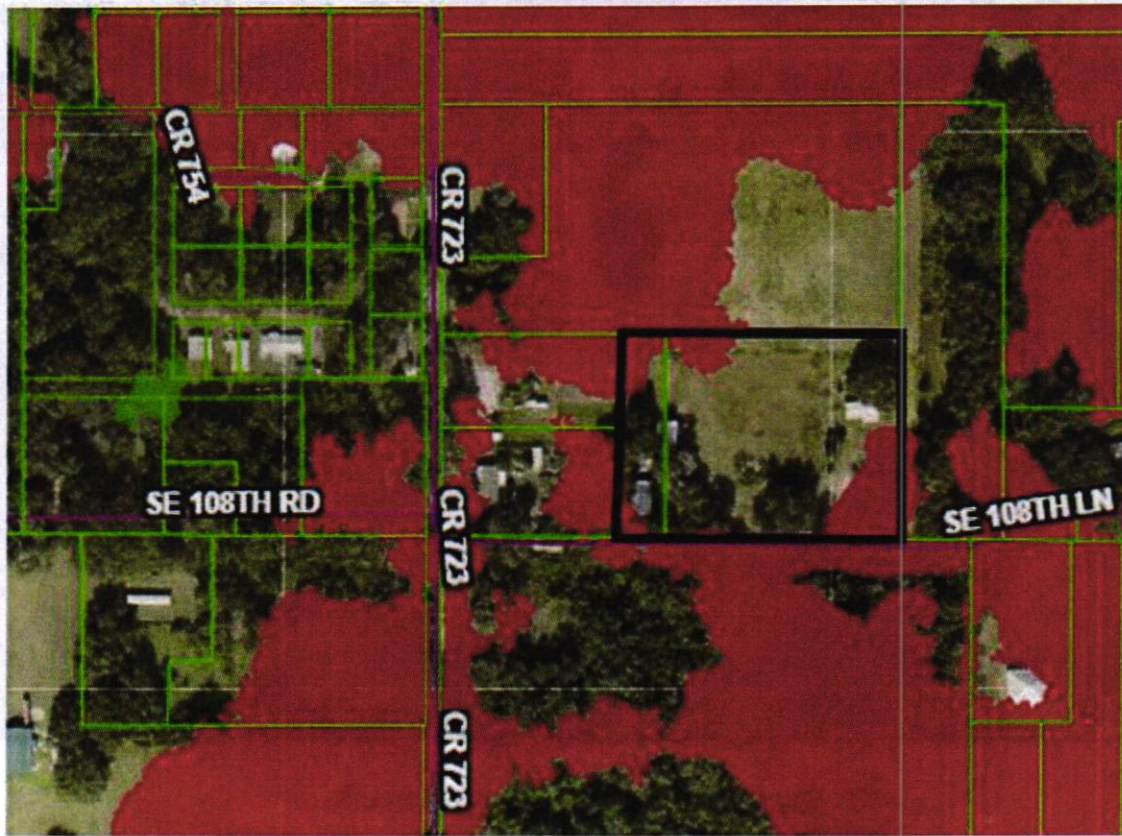
Proposed Future Land Use
Designations

Map 4
Soil Map



- 33 - Sparr fine sand, bouldery subsurface
46 - Ft. Green fine sand , bouldery subsurface
27- Sumterville fine sand, bouldery subsurface

**Map 5
Flood Plain**



AE Flood zone

Attachment 1

PARCEL 1

I.D. No.: T06-050

Legal Description: Begin 360 feet South and 300 feet East of the Northwest corner of the Southeast 1/4 of the Southeast 1/4 of Section 6, Township 22 South, Range 23 East, Sumter County, Florida; thence run South 300 feet; thence run East 75 feet; thence run North 300 feet; thence run West 75 feet to the Point of Beginning.

PARCEL 2

I.D. No.: T06-070

Legal Description: Begin 360 feet South and 375 feet East of the Northwest corner of the SE 1/4 of the SE 1/4, Section 6, Township 22 South, Range 23 East, Sumter County, Florida; thence run South 300 feet; thence run East 381 feet; thence run North 300 feet; thence run West 381 feet to the Point of Beginning. TOGETHER WITH an easement for ingress and egress over and across the South 30 feet of the North 360 feet of the West 405.00 feet of the SE 1/4 of the SE 1/4 of said Section 6, LESS right of way for County Road No. 723 across the West side thereof. SUBJECT TO the prescriptive easement as recorded in Official Records Book 812, Page 57, of the Public Records of Sumter County, Florida.

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 requested amendment will not permit urban development of the parcel.**
- III. Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments. **The subject property is not in an area of strip, radial, or ribbon patterned development.**
- 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 requested amendment will help preserve native vegetation and flood plains.**
- 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 adjacent Agricultural uses.**
- VI. Fails to maximize use of existing public facilities and services. **The subject property will be served by on-site utilities.**
- 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 does not discourage infill.**
- 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 contains floodplain. Development will be conducted in a manner that will not have an adverse impact on natural resources.**
- (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.**

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

ORDINANCE NO. 2024-08

AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA PROVIDING FOR THE REZONING OF REAL PROPERTY TOTALING 3.1 ACRES, MORE OR LESS, IN SIZE (TAX PARCEL IDENTIFICATION NUMBERS T06-050 AND T06-070) WITHIN THE CITY LIMITS (MAP OF PROPERTY ATTACHED) FROM RR1C, RURAL RESIDENTIAL ZONING DISTRICT TO RR1C, RURAL 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, Richard M. Fentzlaff, mailing address: 3818 SE 108th Ln, Webster FL 33597 (Tax Parcel Identification Numbers T06-050 and T06-070) is the owner of the property which is the subject of this Ordinance; and

WHEREAS, The real property, totaling 3.1 +/- acres in size, is located on the north side of SE 108th LN (Map); and

WHEREAS, Richard M. Fentzlaff owned the subject property, both parcels T06-050 and T06-070, in November 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 RR1C (Rural Residential - County) zoning assignment to the RR1C (Rural Residential) 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 3.1 acres MOL in size, is located on the north side of SE 108th LN (Tax Parcel Numbers T06-050 and T06-070). 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 3.1 acres MOL in size, shall be rezoned from RR1C (County) zoning districts/classification to RR1C 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- relating to the Comprehensive amendment becomes effective.

PASSED AND ENACTED this 21th day of March, 2024.

**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
Legal Description**

PARCEL 1

I.D. No.: T06-050

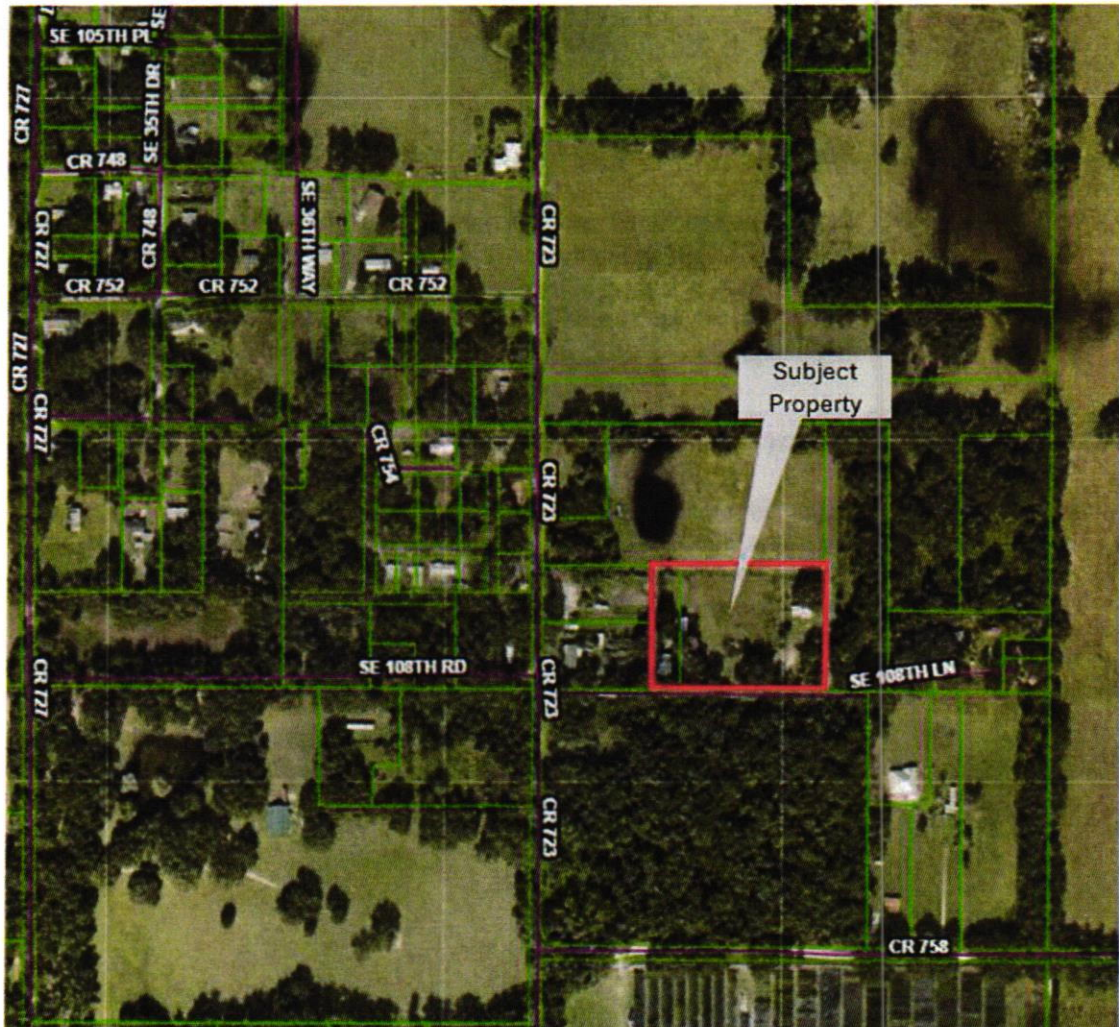
Legal Description: Begin 360 feet South and 300 feet East of the Northwest corner of the Southeast 1/4 of the Southeast 1/4 of Section 6, Township 22 South, Range 23 East, Sumter County, Florida; thence run South 300 feet; thence run East 75 feet; thence run North 300 feet; thence run West 75 feet to the Point of Beginning.

PARCEL 2

I.D. No.: T06-070

Legal Description: Begin 360 feet South and 375 feet East of the Northwest corner of the SE 1/4 of the SE 1/4, Section 6, Township 22 South, Range 23 East, Sumter County, Florida; thence run South 300 feet; thence run East 381 feet; thence run North 300 feet; thence run West 381 feet to the Point of Beginning. TOGETHER WITH an easement for ingress and egress over and across the South 30 feet of the North 360 feet of the West 405.00 feet of the SE 1/4 of the SE 1/4 of said Section 6, LESS right of way for County Road No. 723 across the West side thereof. SUBJECT TO the prescriptive easement as recorded in Official Records Book 812, Page 57, of the Public Records of Sumter County, Florida.

Map



**CITY OF WEBSTER
REZONING APPLICATION**

**PLANNING & ZONING
FEBRUARY 8, 2024**

**CITY COUNCIL
FEBRUARY 15, 2024
MARCH 21, 2024**

CASE NUMBER: R-23-000501

LANDOWNERS: Richard Fentzlaff

APPLICANT: City of Webster

REQUESTED ACTION: Rezone 3.1 acres MOL from RR1C (Rural Residential-County) to RR1C (Rural Residential-Webster) concurrent with small scale amendment SS-24-00499

PARCEL NUMBERS: T06-050 and T06-070

LEGAL DESCRIPTION: See Attachment 1

EXISTING ZONING: County – RR1C (Rural Residential)

EXISTING USE: house

FUTURE LAND USE: Rural Residential (concurrent application)

PARCEL SIZE: T05-050 (.52 acres) T06-070 (2.6 acres)

LOCATION: North side of SE 108th LN, off of CR 723 (Map 1).

SURROUNDING LAND USE AND ZONING

The Application site is located off SE 108th LN, approximately 300 feet east of CR 723. The site consists of two parcels, each developed with a residence. The property is currently being annexed into the City from the County. The surrounding area has a Rural Residential designation on the Future Land Use Map with all adjacent properties being Rural Residential as well. The property is in a rural setting with a mix of small home sites, homes on acreage and vacant pasture. There is a mixture of manufactured homes and site-

built homes located in the area. Surrounding properties are zoned (Low Density Residential / Mobile Home Housing) R2M and RR1, to the west, RR5C to the north, RR1 to the east and A10C to the south.

CASE SUMMARY

The 3-acre property is located within the City's Joint Planning Area and is seeking annexation concurrently with the rezoning. The rezoning will add the property to the City of Webster's Zoning Map with a RR1C (Rural Residential) zoning designation. The RR1C zoning designation permits both residential uses and residential accessory uses.

Currently, parcel T06-050 measures 0.52 acres, falling below the 1-acre minimum parcel size required by the RR1C zoning standards (Attachment 2). Following annexation, the RR1C zoning will allow the two parcels, amounting to three acres, to adjust lot lines for T06-050, ensuring compliance. Additionally, it allows a parcel split on the adjacent parcel T06-070, ultimately producing three individual compliant one-acre parcels (Attachment 3).

The requested rezoning category is consistent with the proposed parcel sizes and dimensional standards (Attachment 3) per the City's Land Development Code and the County's Comprehensive Plan. RR1C zoning is compatible with the surrounding development pattern. Staff has reviewed the property record to affirm ownership.

CASE ANALYSIS:

The request is to adopt City zoning following annexation. This application is concurrent with Small- Scale Land Use Amendment SS-24-00499 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:

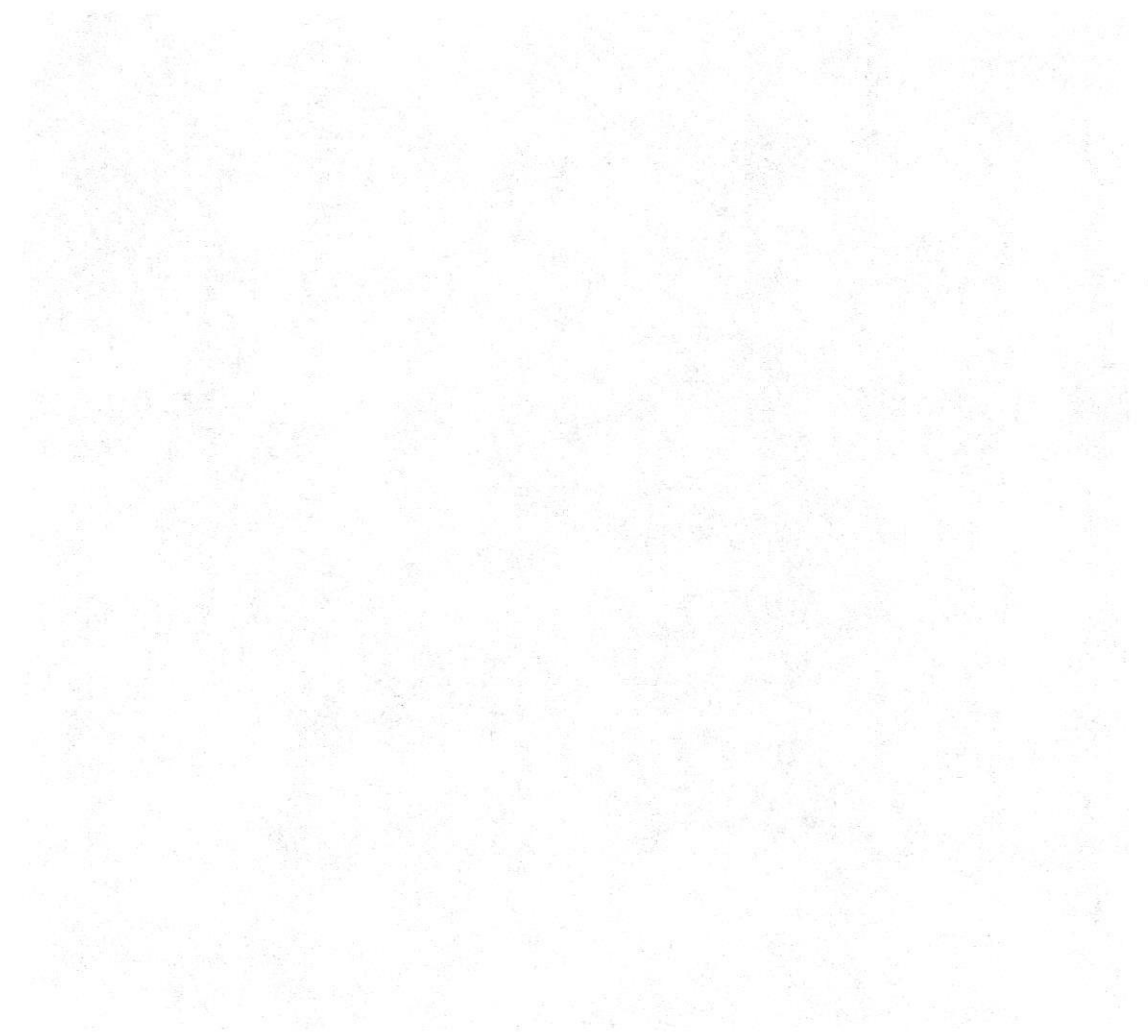
- a) Change of conditions, or absence of changed conditions.
The subject parcels are being annexed into the City of Webster and needs to be adopted onto the City zoning map.
- b) Community need, or lack of community need.
The requested rezoning will allow expanded housing options on the property.
- c) Benefits to the community.
There is no specific benefit to the community.
- 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

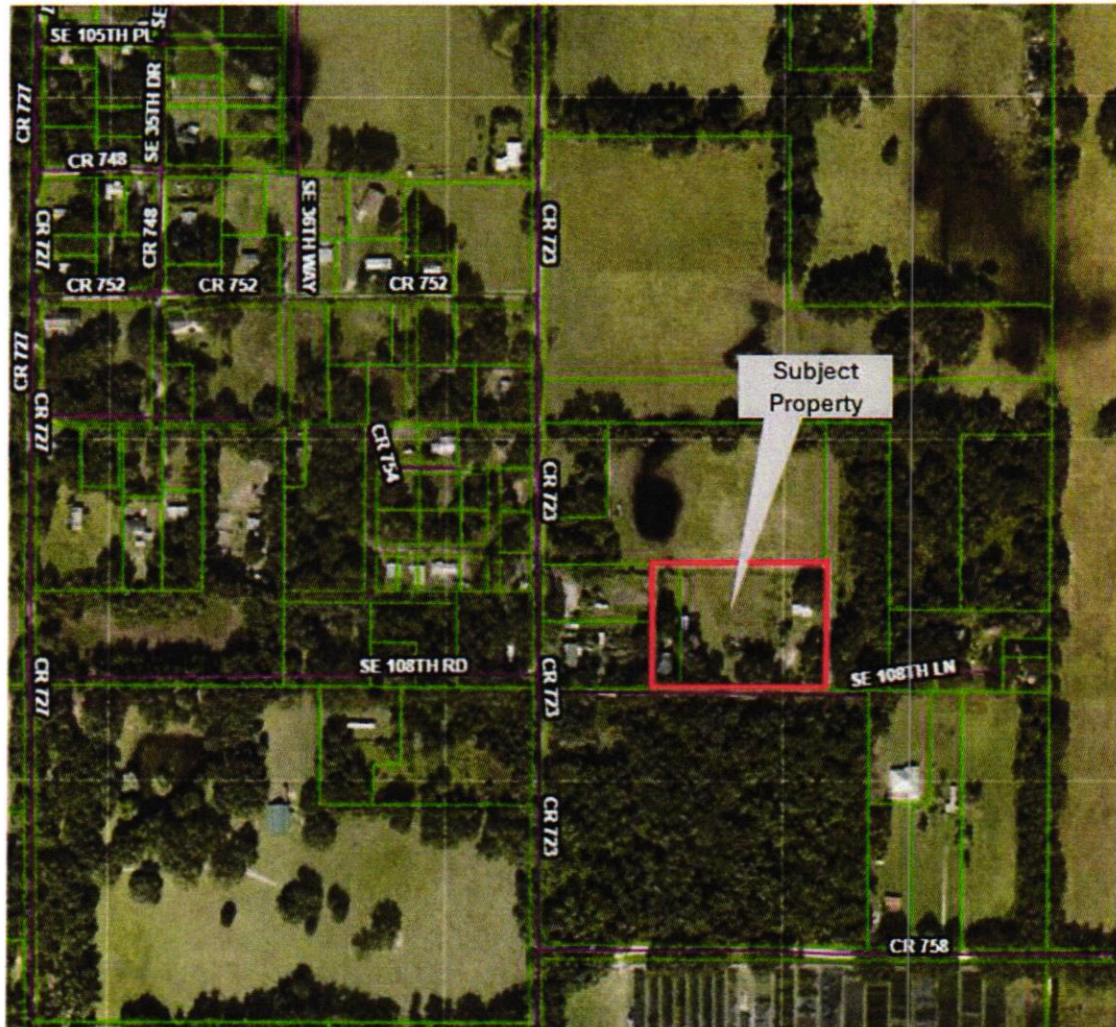
Staff deemed the Application sufficient for review. Staff has found the request in compliance with the minimum requirements of the Webster Land Development Code and

Comprehensive Plan and recommends approval contingent upon approval of Future Land Use Amendment SS-24-00499.

Notices Sent: 22



Map 1
General Location



Map 2
Surrounding Zoning Assignments



Attachment 1
(Legal Description)

PARCEL A

I.D. No.: T06-050

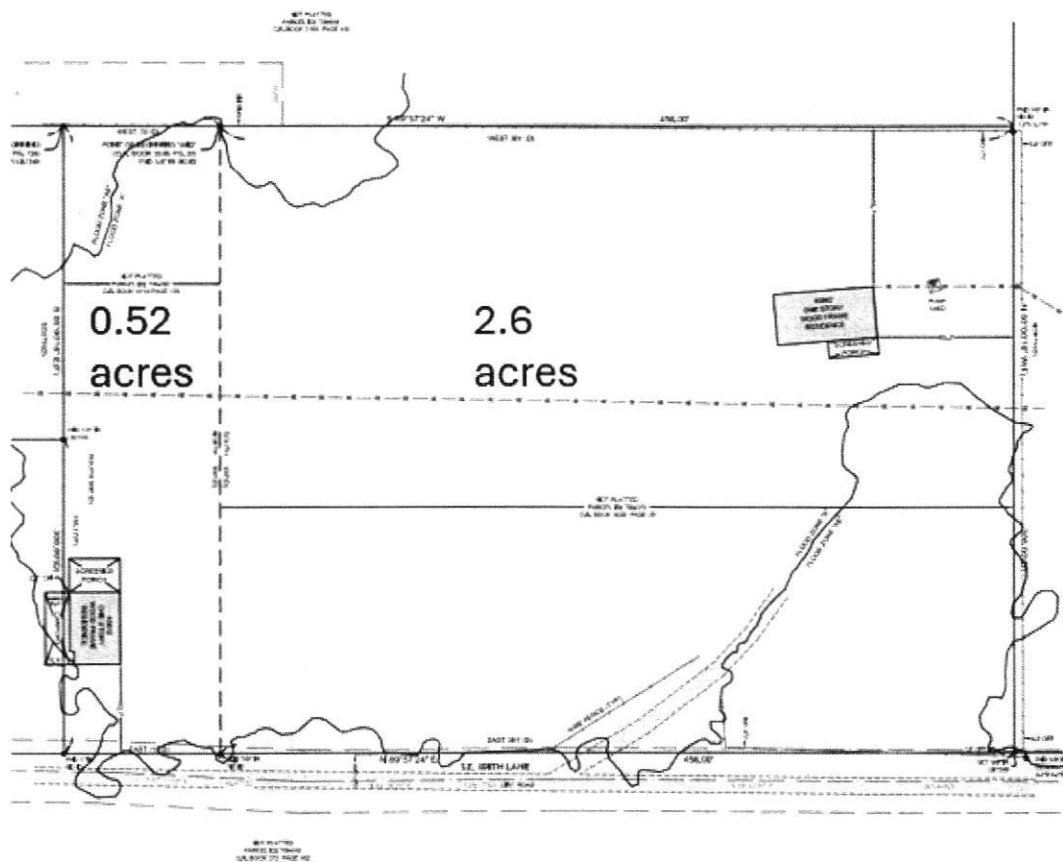
Legal Description: Begin 360 feet South and 300 feet East of the Northwest corner of the Southeast 1/4 of the Southeast 1/4 of Section 6, Township 22 South, Range 23 East, Sumter County, Florida; thence run South 300 feet; thence run East 75 feet; thence run North 300 feet; thence run West 75 feet to the Point of Beginning.

PARCEL B

I.D. No.: T06-070

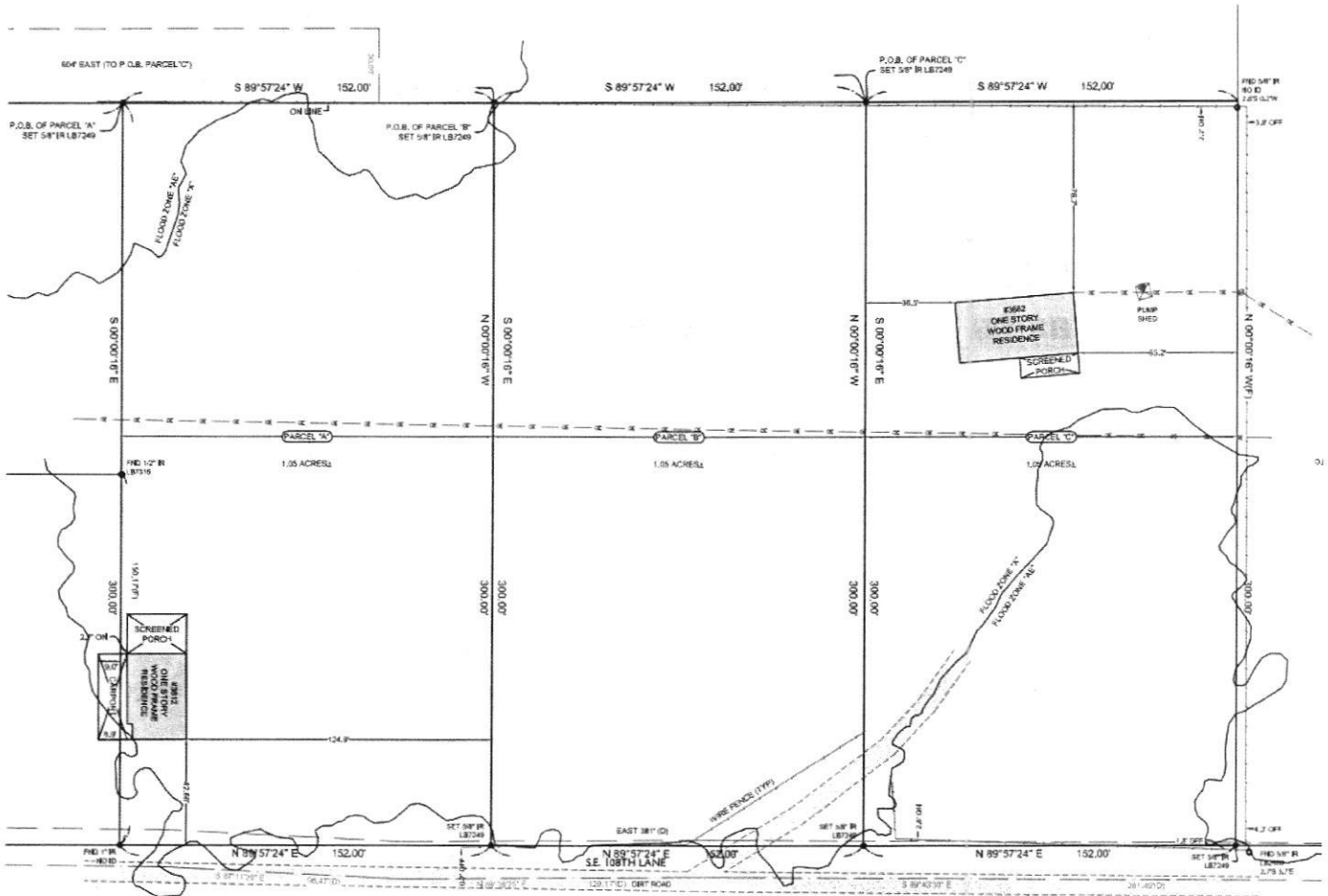
Legal Description: Begin 360 feet South and 375 feet East of the Northwest corner of the SE 1/4 of the SE 1/4, Section 6, Township 22 South, Range 23 East, Sumter County, Florida; thence run South 300 feet; thence run East 381 feet; thence run North 300 feet; thence run West 381 feet to the Point of Beginning. TOGETHER WITH an easement for ingress and egress over and across the South 30 feet of the North 360 feet of the West 405.00 feet of the SE 1/4 of the SE 1/4 of said Section 6, LESS right of way for County Road No. 723 across the West side thereof. SUBJECT TO the prescriptive easement as recorded in Official Records Book 812, Page 57, of the Public Records of Sumter County, Florida.

Attachment 2 Current parcel configuration



MAP OF BOUNDARY SURVEY

Attachment 3 Lot Line Adjustment and Parcel Split Plan



ORDINANCE NO. 2024-09

AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA, ANNEXING BY VOLUNTARY PETITION CERTAIN REAL PROPERTY TAX IDENTIFICATION PARCEL NUMBERS T07D004 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, Loretta Ramirez, 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
T07D004	Martin and Loretta Ramirez

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 _____, 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

LOT 4 PARADISE RANCH, SECTION 07, TOWNSHIP 22, RANGE 23, SUMTER COUNTY, FLORIDA



CITY OF WEBSTER
SMALL SCALE COMPREHENSIVE PLAN AMENDMENT

PLANNING & ZONING
FEBRUARY 8, 2024

CITY COUNCIL
FEBRUARY 15, 2024
MARCH 21, 2024

CASE NUMBER: SS-23-19550

LANDOWNER: Loretta Ramirez

APPLICANT: City of Webster

REQUESTED ACTION: A small scale land use amendment on 10.07 acres MOL to change the Future Land use assignment from County – Agricultural to City of Webster – Rural Residential following annexation.

PARCEL NUMBER: T07D002

LEGAL DESCRIPTION: LOT 2 PARADISE RANCH PB 17 PG 47.

PARCEL SIZE: 10.07 acres MOL

LOCATION: East 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 platted residential lot in the community. The Rural Residential Future Land Use district is 400-ft north of the subject property. The surrounding neighborhood is rural residential in nature with industrial to the east.

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 meet 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 generally 3 acres 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 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 due to the pattern of the community.

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: 11

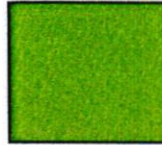
Map 1
General Location



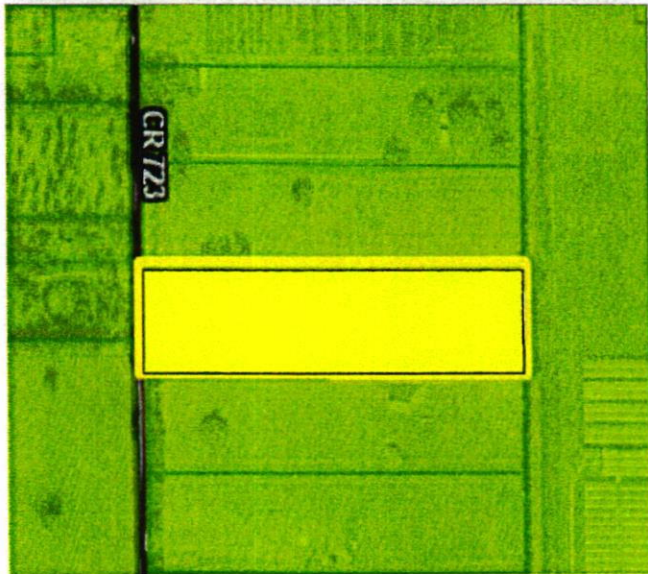
Future Land Use Map



Existing Future Land Use Designations



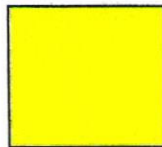
Agriculture



Proposed Future Land Use



Agriculture (County)

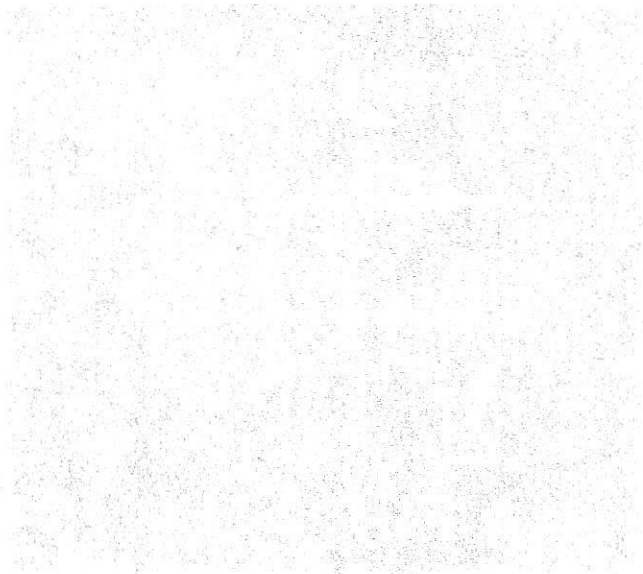
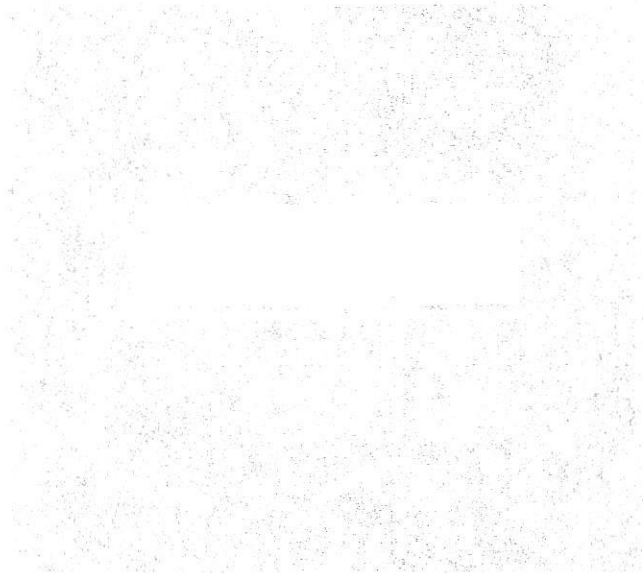


Rural Residential (City)

Attachment 1

Parcel T07D002

LOT 2 PARADISE RANCH PB 17 PG 47



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 that will allow one residential unit in keeping with the pattern of the area. 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, 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 should have no impact on Agricultural uses as none exist on the site presently.**
- 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 should 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 allows for additional housing unit as an infill project.**
- X. Fails to encourage a functional mix of uses. **The proposed amendment should not discourage a functional mix of uses.**
- XI. Results in poor accessibility among linked or related land uses. **The proposed land use amendment should not affect the accessibility of adjacent lands.**
- XII. Results in the loss of significant amounts of functional open space. **The subject property should 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 should 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 should 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 should maintain the balance of land uses and allow use of a lot for residential purposes.**

ORDINANCE NO. 2024-10

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 10.07 ACRES (TAX PARCEL IDENTIFICATION NUMBER T07D002, AND DESCRIBED IN THIS ORDINANCE FROM THE AGRICULTURE FUTURE LAND USE DESIGNATION (COUNTY) TO THE RURAL RESIDENTIAL 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, Loretta Ramirez mailing address: 11305 CR-723, Webster FL 33597 is the owner of the property which is the subject of this Ordinance; and

WHEREAS, The real property, totaling 10 +/- acres in size, is located on the South and East of CR 758 and 723 respectively; and

WHEREAS, Loretta Ramirez owned the subject property, in November 2023 when a 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 Agriculture (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 Agriculture (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 21ST day of MARCH, 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

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

ORDINANCE NO. 2024-11

AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA PROVIDING FOR THE REZONING OF REAL PROPERTY TOTALING 10.07 ACRES, MORE OR LESS, IN SIZE (TAX PARCEL IDENTIFICATION NUMBER T07D002) WITHIN THE CITY LIMITS (MAP OF PROPERTY ATTACHED) TO RR1C, RURAL RESIDENTIAL WITH CONVENTIONAL HOUSING ZONING DISTRICT FROM A10C (COUNTY); 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, Loretta Ramirez mailing address: 11305 CR-723, Webster FL 33597 is the owner of the property which is the subject of this Ordinance; and

WHEREAS, The real property, totaling 10 +/- acres in size, is located on the South and East of CR 758 and 723 respectively; and

WHEREAS, Loretta Ramirez owned the subject property, in November 2023 when a 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 A10C (Agriculture -County) zoning assignment to the RR1C (Rural Residential with Conventional Housing) 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 a 10.07 acre MOL platted lot, and is located adjacent to CR-723, a minor local road. (Tax Parcel Number T07D002). 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 10.07 acres MOL in size, shall be rezoned from A10C(County) zoning districts/classification to RR1C 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 21st day of MARCH, 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 2 PARADISE RANCH PB 17 PG 47

LOCATION MAP



**CITY OF WEBSTER
REZONING APPLICATION**

PLANNING & ZONING

February 8, 2024

CITY COUNCIL

February 15, 2024

March 21, 2024

CASE NUMBER: R-23-019551

LANDOWNERS: Loretta Ramirez

APPLICANT: City of Webster

REQUESTED ACTION: Rezone 10.07 acres from A10C (Agricultural with Conventional Housing-County) to RR1C (Rural Residential with Conventional Housing) concurrent with small scale amendment SS-23-19550.

PARCEL NUMBERS: T07D002

LEGAL DESCRIPTION: See Attachment.

EXISTING ZONING: County – A10C (Agriculture with Conventional Housing)

EXISTING USE: Vacant

FUTURE LAND USE: Rural Residential (concurrent Application)

PARCEL SIZE: 10 acres MOL

LOCATION: East side of CR 723, 400 ft south of CR 758 (Map 1).

SURROUNDING LAND USE AND ZONING

The subject property is located adjacent to CR-723, a minor local road. It is currently is vacant land, surrounded by vacant lands, single family homes and an agricultural research and development facility. The property was annexed into the City in November 2023. Surrounding zoning assignments include Residential with varying densities (RR5C, RR1, R2M and RR1C) (Map 2). The neighborhood is residential agricultural in nature.

CASE SUMMARY

The rezoning will add the property to the City's Zoning Map with a RR1C (Rural Residential with Conventional Housing) zoning designation. The RR1C zoning assignment will allow for one (1) conventionally built home along with a variety of typical residential accessory uses.

CASE ANALYSIS:

The request is to adopt City zoning following annexation. This application is concurrent with a small scale Land Use Amendment SS-23-19550 which seeks a Rural Residential 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 additional rural residential development in the rural residential area.
- c) Benefits to the community.
The rezoning will benefit the community by allowing residential development in keeping with the pattern of the neighborhood.
- d) The rights of private property owners.
This rezoning should preserve the existing rights currently in place with County Land Use and Zoning.

HEARINGS

The Application is expected to be heard by Planning and Zoning Board on February 8, 2024; and, City Council on February 15th and March 21, 2024.

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-23-19550.

Notices Sent: 11

Map 1 General Location

