



AMENDED AGENDA
PLANNING AND ZONING BOARD
CITY OF WEBSTER
Webster City Hall, 85 E. Central Avenue
November 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 – October 12, 2023
M_____S_____ Roll Call Vote

III. PUBLIC HEARING

Approval of Ordinance 2023-27 Annexation-Parcel ID T07-050-Geri and Tyrus Thornton
M_____S_____ Roll Call Vote

Approval of variance for setback for donated property to Habitat For Humanity
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.

**CITY OF WEBSTER
VARIANCE APPLICATION**

**Planning and Zoning
November 9, 2023**

**City Council
November 16, 2023**

CASE NO. V-23-016886

LANDOWNER: The City of Webster

REQUESTED ACTION: A variance to reduce the following setbacks to allow for development as affordable housing:

- 1) Reduce north and east setbacks from 10-ft to 5-ft; and
- 2) Reduce south roadway setback (NW 9th Ave) from 25-ft to 20-ft; and
- 3) Reduce west roadway setback (NW 4th St) from 25-ft to 15-ft.

PARCEL NUMBER: N36B014

LEGAL DESCRIPTION: W 50 FT OF LOTS 12 TO 16 INCL BLK 1 OF JOHNSONS SUB PB 1 PG 84

EXISTING ZONING: R6C

EXISTING USE: vacant

FUTURE LAND USE: Urban Residential

PARCEL SIZE: 6250 square foot

GENERAL LOCATION: NE corner of NW 9th Ave and NW 4th St..

SURROUNDING USES AND ZONING:

The subject property is a corner parcel in Johnson Subdivision (Map). Johnson Subdivision is an antiquated subdivisions with small lots. The properties in this area have been reconfigured and do not follow the original platted lot lines. This parcel has been reconfigured into a 50-ft by 125-ft lot. The property size is typical of the surrounding subdivision but is impacted by having two road frontages.

The surrounding area is a residential subdivision with a mixture of housing types. Water and sewer service is available.

CASE SUMMARY: the property is owned by the City of Webster who has identified it as appropriate for development. The City is surplussing the property for the purpose of donating it to an affordable housing non-profit. The subject property is a typical size for the neighborhood but has very little buildable space due the presence of two road frontages. Implementing the Land Development Code setbacks will result in a building envelope fifteen-foot wide (Sketch).

The City is requesting this variance to expand the building envelope and allow for housing typical of the neighborhood. The requested setbacks will result in a building envelope thirty-foot wide.

CASE ANALYSIS:

The City Council must make all of the following findings to grant the variance [Section 13-371(c)(1) Land Development Code]. Staff's analysis of each of the findings required for the issuance of a variance is provided in italic type following each finding:

Due to conditions beyond the control of the applicant, strict or literal enforcement of the Land Development Code results in practical difficulties or unnecessary or undue hardships;

Literal enforcement of the Land Development Code and the physical limitations of the lot would prevent construction of a house on the property.

Hardship is unique and not shared by other properties;

The owner's situation is unique and not shared by neighbors. The subject property is small and constricted by the road frontages.

Hardship is related to the land, building or structure and not personal circumstances;

The hardship is specific to the land and not personal circumstances.

Hardship not the result of the applicant's own actions;

The physical hardship was not created by the applicant. The neighborhood was platted prior to the current ownership of the property.

Variance is the minimum variance needed for reasonable use of the land, building or structure;

The variance is the minimum required to allow a modest home.

Variance will not be detrimental to the public welfare;

The variance will not be detrimental to the public welfare. The variance does not encroach into any easements nor negatively impact the potential development of the adjacent property.

Variance will not result in the extension of a non-conforming situation nor authorize the non-conforming use of land;

The variance will not result in a non-conforming situation or authorize a non-conforming use of land.

Variance will not permit a use prohibited by the Land Development Code;

This variance does not permit a use prohibited by the Land Development Code.

Surrounding non-conforming lands, buildings or structures can not be considered in the approval of the variance.

No nonconforming use of neighboring lands, structures, or buildings in the same land use zone, and no permitted use of lands, structures and buildings in other

land use zones have been considered as grounds for the authorization of the variance.

Staff has reviewed property ownership documents.

DEVELOPMENT SERVICES DEPARTMENT STAFF CONCLUSIONS:

Staff deems the application sufficient for review. Staff has found the request in compliance with the minimum requirements of the Webster Land Development Code and recommends approval with the following conditions:

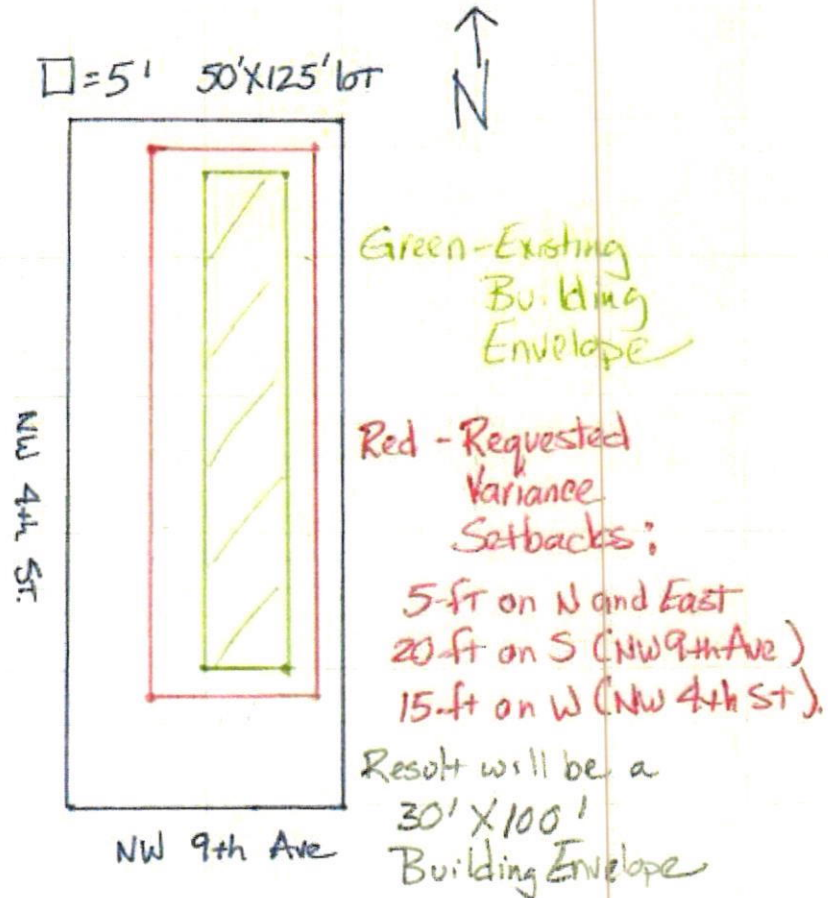
1. This variance reduces the following setbacks to allow for development as affordable housing:
 - a) Reduce north and east setbacks from 10-ft to 5-ft; and
 - b) Reduce south roadway setback (NW 9th Ave) from 25-ft to 20-ft; and
 - c) Reduce west roadway setback (NW 4th St) from 25-ft to 15-ft.
2. The approved reduced setbacks are for construction of a single family home and accessory residential structures such as, but not limited to, garages, carports and sheds.

Notices Sent: 60

Map



Sketch



Farnsworth, Sue

From: Shari McCray <shari@habitatls.org>
Sent: Wednesday, October 04, 2023 12:04 PM
To: Farnsworth, Sue
Cc: DNaugler@websterfl.com
Subject: [Forwarded from Intradyn] [Mon Oct 30 19:37:07 2023] RE: Habitat for Humanity variance application

Good afternoon Sue,

Yes the house will fit in the 30-ft wide area.

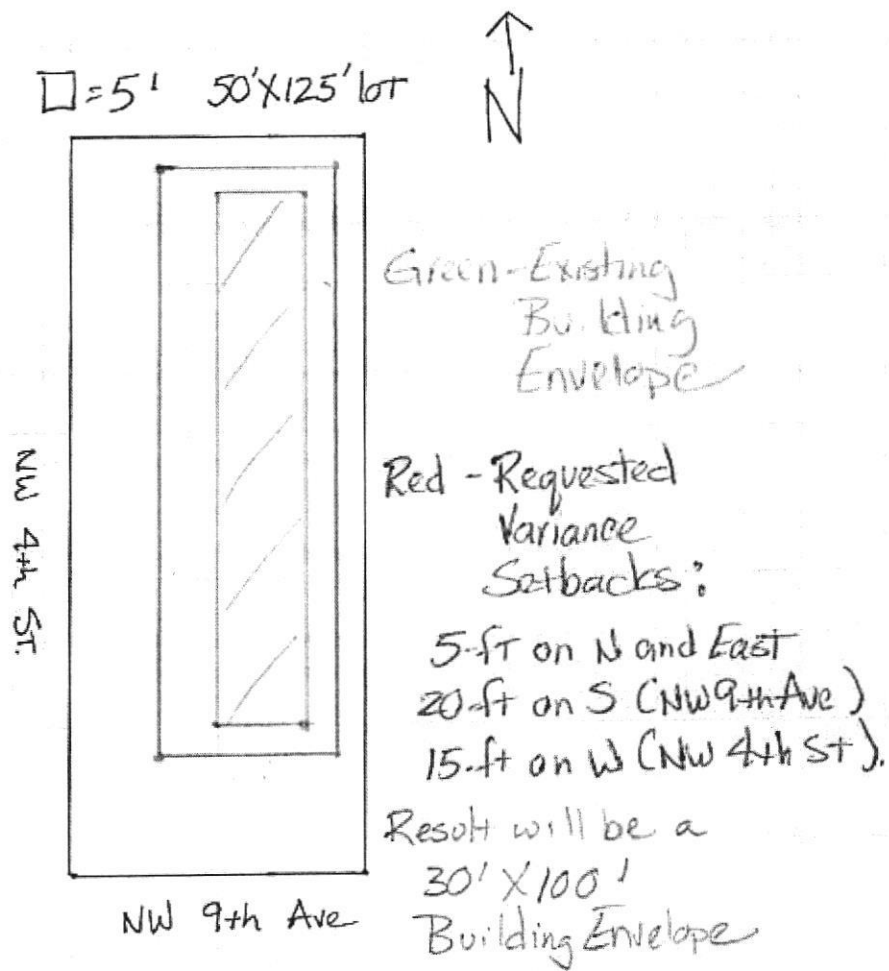
Please let me know if you need anything else for us.

Shari McCray | Construction Coordinator
Habitat for Humanity of Lake-Sumter, Florida

From: Farnsworth, Sue <Susan.Farnsworth@sumtercountyfl.gov>
Sent: Wednesday, October 4, 2023 10:25 AM
To: Shari McCray <shari@habitatls.org>
Cc: DNaugler@websterfl.com
Subject: Habitat for Humanity variance application

Morning,

I've started reviewing the variance request. Here is how I understand the request. In the image below the green is the area available for the house under the adopted setback standards. The red is the 30-ft X 100-ft area that will be available for the house if the variance is approved. Will the intended house fit in a 30-ft wide area?



Resulting setbacks on an aerial:



Deanna, since the City is still the landowner do you want to be the applicant? This will allow me to waive fees.

I will not be able to advertise it in time for the October P&Z hearing (ad was due on 9/25). The November dates will be

P&Z

Nov 9, 2023 @ 6 PM

City council

Nov 16, 2023 @ 6 PM.

The final decision will be a vote (no ordinance or resolution) by City Council on the 16th.

Sue



Sue Farnsworth

Planner

Planning and Building
Board of Sumter County Commissioners

Tel: 352-689-4400

Fax: 352-689-4401

www.sumtercountyfl.gov



NOTE: The Sumter County Board of County Commissioners is a government entity making this and future email transmissions including attachments subject to inspection under Florida Statutes Chapter 119 unless specifically exempted or deemed confidential by law.

From: noreply@civicplus.com <noreply@civicplus.com>

Sent: Friday, September 29, 2023 10:12 AM

To: @Planning <Planning@sumtercountyfl.gov>
Subject: Online Form Submittal: Variance Application

Variance Application

(Section Break)

Applicant Information:

Name of Property Owner(s):	Habitat for Humanity Lake-Sumter, Florida
Address:	906 Avenida Central The Villages FL 32159
Owner Phone:	352-483-0434
Email:	Shari@habitatLS.org
Name of Agent:	Field not completed.
Agent Address:	Field not completed.
Agent Phone:	Field not completed.
Agent Email:	Field not completed.
Describe your variance request and attach a site sketch showing the requested setbacks.	At least a 20ft variance from the front of the property and 15ft altogether on the sides of the house, with no fewer than 5ft on either side.
What is the Nature of the Hardship:	Fit an affordable home
Property Information: Legal Description of the property (lengthy descriptions may be attached)	W 50 FT OF LOTS 12 TO 16 INCL BLK 1 JOHNSON SUB PB 1 PG 84
Street Address:	NW 4th St & NW 8th Ave Webster
Parcels #	N36B014
Current Use:	empty lot

Please provide

- 1. Deed or other proof of ownership
- 2. Signed authorization if applicant is not the land owner

- 3. Site plan/sketch drawn to scale showing how property will be used (identify areas where the variance is being requested – setbacks, landscaping, etc))
- 4. Legal description of the area under application. (lengthy or complex legal descriptions may be required in digital/text format)

Please combine your [coastal run drawing.pdf](#) documents into one file before uploading them.

As the owner/agent, I agree to post the hearing plaques at least seven (7) days prior to the first hearing on the property's road frontage at the corners and at 300-ft intervals between.

- I understand any action on my application will be governed by Sumter County's Comprehensive Plan and Land Development Code, and my payment of the non-refundable application fee will not guarantee approval.

Under penalties of perjury, by typing my name below. I declare the above information that I have given to be true and correct to the best of my knowledge and belief.

Name	Shari McCray
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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.
 - 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.](#)

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

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AFFIDAVIT OF PUBLICATION

Sumter Sun Times

Published Weekly

, Sumter County, Florida

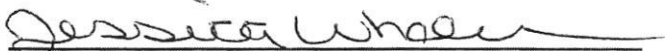
Case No. Webster variance V-23-016886

STATE OF FLORIDA COUNTY OF SUMTER

Before the undersigned authority, Jessica Whaley, personally appeared who on oath says that she is the Classified Advertising Legal Clerk of Sumter Sun Times, a newspaper published at in Sumter County, Florida; that the attached copy or reprint of the advertisement, to the right, being a Public Notice, was published in said newspaper by print in the issues of or by publication on the newspaper's website, if authorized, on:

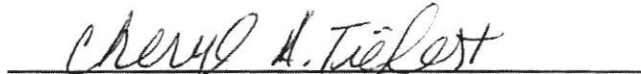
October 26, 2023

Affiant further says that the Sumter Sun Times newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.



Jessica Whaley

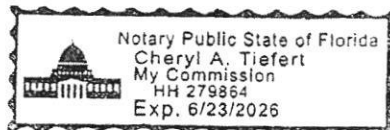
Sworn to and subscribed before me this 26th day of October 2023 by Jessica Whaley, who is personally



Cheryl A. Tiefert, Clerk, Notary Number: #HH279864
Notary expires: June 23, 2026

00037612 00138966

Sumter County BOCC
7375 Powell Road
Wildwood, FL 34785



NOTICE OF INTENT TO CONSIDER VARIANCE APPLICATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Webster will consider an application for a variance to reduce the required front, side, and rear setbacks on a corner lot to allow construction of a house.

Legal Description of subject property is as follows: W 50 FT OF LOTS 12 TO 16 INCL BLK 1 OF JOHNSONS SUB PB 1 PG 84. AKA Parcel Tax ID N36B014

The variance request is as follows:

- 1) Reduce north and east setbacks from 10-ft to 5-ft; and
- 2) Reduce south roadway setback (NW 9th Ave) from 25-ft to 20-ft; and
- 3) Reduce west roadway setback (NW 4th St) from 25-ft to 15-ft.

The proposed variance will be heard at the following public hearing:

Local Planning Agency – November 9, 2023, at 6:00 PM
City Council – November 16, 2023, at 6:00 PM

The meeting will be held at the Webster City Hall, located at 85 E Central Ave, Webster, Florida.

The variance application may be inspected at City Hall between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday or Sumter County Development Services Department located 319 E. Anderson Ave, Bushnell, FL, between the hours of 8:00 A.M. and 4:30 P.M. Monday through Friday.

All persons are advised that if they decide to appeal any decision made by the Council on this matter, they will need a record of the proceedings, and may need to ensure that a verbatim record is made, which includes testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act (ADA) any person with a disability requiring reasonable accommodations in order to participate in this Public Hearing should call the City Clerk at (352) 793-2073 at least 48 hours prior to the meeting time.

Published: 10/26/2023