

**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  
September 12, 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 – July 11, 2024  
M \_\_\_\_\_ S \_\_\_\_\_ Roll Call Vote

**III. PUBLIC HEARING**

Approval of Ordinance 2024-21 Comp Plan Amendment-N36-207-Midsouth Sumter, LLC.  
M \_\_\_\_\_ S \_\_\_\_\_ Roll Call Vote

Approval of Ordinance 2024-22 Rezoning-N36-207-Midsouth Sumter, LLC.  
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

July 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 and Darrell Elliott.

We have a quorum.

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

Board Member Green made a motion for approval of the minutes for May 9, 2024, seconded by Board Member Elliott.

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member Elliott-Yes

Motion passed 3-0

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

Board Member Green made a motion for approval of Ordinance 2024-17 Special Use-T06A112-First Baptist Church, seconded by Board Member Elliott.

County Planner Jennifer Bryla and City Manager Deanna Naugler apprised the board about the Ordinance.

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member Elliott-No

Motion passed 2-1

Board Member Green made a motion for approval of Ordinance 2024-20 Annexation-Parcel ID N36-207-Midsouth Sumter, LLC, seconded by Board Member Elliott.

City Planner Deanna Naugler apprised the board about the Ordinance.

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member Elliott-Yes

Motion passed 3-0

#### **IV. ADJOURNMENT**

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

Vote was as follows:

Chairwoman Yost-Yes

Board Member Green-Yes

Board Member Elliott-Yes

Motion passed 3-0

Meeting adjourned at 6:12 P.M.

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

Attest:

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

**ORDINANCE NO. 2024-21**

**AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA AMENDING THE CITY OF WEBSTER COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED; PROVIDING FOR AMENDMENT OF THE FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT OF THE CITY OF WEBSTER COMPREHENSIVE PLAN RELATIVE TO CERTAIN REAL PROPERTY, APPROXIMATELY 14.93 ACRES (TAX PARCEL IDENTIFICATION NUMBER N36-207, AND DESCRIBED IN THIS ORDINANCE FROM THE COMMERCIAL FUTURE LAND USE DESIGNATION (COUNTY) TO THE COMMERCIAL FUTURE LAND USE DESIGNATION (WEBSTER); PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ASSIGNMENT OF THE LAND USE DESIGNATION FOR THE PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR RATIFICATION OF PRIOR ACTS OF THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, MidSouth Sumter LLC. mailing address: 132 Bushnell PLZ. Bushnell, FL 33513.is the owner of the property which is the subject of this Ordinance; and

**WHEREAS**, The real property, totaling 14.93 +/- acres in size, is located on the West side of CR 733, and north of CR 479; and

**WHEREAS**, MidSouth Sumter, LLC. owned the subject property, in July of 2024 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 Commercial (County) Future Land Use designation to the Commercial (City) 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 Commercial (County) land use designation to the Commercial Land Use designation regarding the real property which is the subject of this Ordinance

as set forth herein (Attachment 1).

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

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

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

**SECTION 6. CODIFICATION.** 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    day of    , 2024.

CITY COUNCIL OF THE CITY OF  
WEBSTER, FLORIDA

\_\_\_\_\_  
Anagalys Vigoa, Mayor

*ATTEST:*

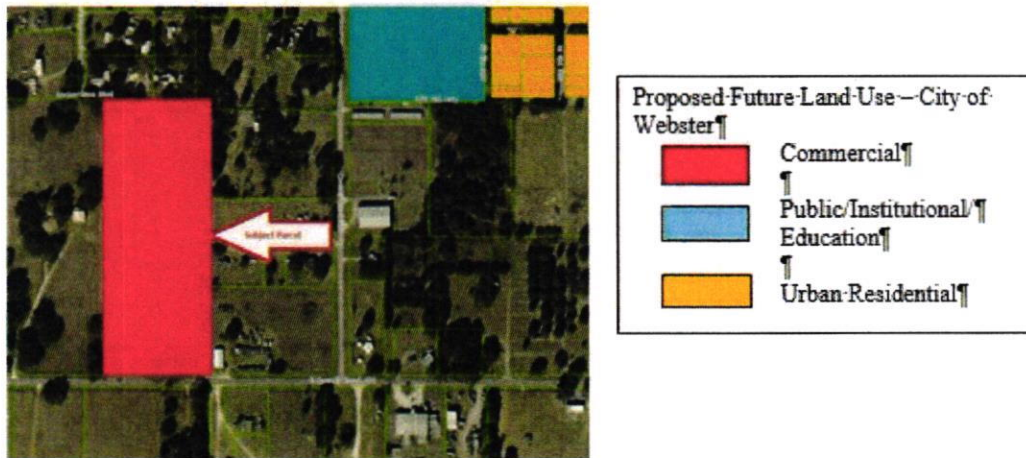
Approved as to form and Legality:

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

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

ATTACHMENT 1

Future Land-Use Map





ATTACHMENT 2  
Legal Description

THE E 506 FT OF THE NW 1/4 OF SW 1/4 LESS R/W FOR CR 478 ACROSS THE S SIDE  
THEREOF

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

**PLANNING & ZONING**  
**AUGUST 8, 2024 (No Quorum)**

**SEPTEMBER 12, 2024**

**CITY COUNCIL**  
**AUGUST 15, 2024 (Set the New Dates for the Public Hearings)**

**SEPTEMBER 19, 2024**

**CASE NUMBER:** SS-24-13085

**LANDOWNER:** MidSouth Sumter LLC

**APPLICANT:** City of Webster

**REQUESTED ACTION:** A small scale land use amendment on 14.93 acres MOL to change the future land use assignment from County – Commercial to City of Webster – General Commercial.

**PARCEL NUMBER:** N36-207

**LEGAL DESCRIPTION:** THE E 506 FT OF THE NW 1/4 OF SW 1/4 LESS R/W FOR CR 478 ACROSS THE S SIDE THEREOF

**PARCEL SIZE:** 14.93 acres MOL

**LOCATION:** West side of CR 733, and north of E. C 478 (Map 1).

**GENERAL DESCRIPTION AND BACKGROUND**

This land use amendment is being initiated by staff in conjunction with voluntary annexation into the City. The City had the final hearing on the annexation on July 18, 2024. This amendment will add the property to the City’s Future Land Use Map with a General Commercial Future Land Use assignment (Map 2) consistent with the Webster Joint Planning Area Agreement land use map. The property is currently designated Commercial on the County Future Land Use Map. This amendment will allow for the existing business to use the property as a needed for office and “lay down” purposes as well as allow for grazing on the land.

The subject property holds an existing home, however the Applicant who currently does business in City of Bushnell would ultimately like to move his business office to the property. The business model is that of an underground utility business. They lay pipe and various other necessary requirements for infrastructure creation. As a component of this business, they are required to store supplies in a “laydown” yard. This use requires a Commercial Land Use and Zoning. As such the applicant is requesting a General Commercial (C) Land Use category and a unified Zoning district of heavy commercial (CH). This district will allow for the office use and the laydown yard. Currently the zoning on the parcel is split which is problematic for future development. This requested action is actually bringing the parcel into greater compliance with Land Use and Zoning. The surrounding neighborhood is rural residential in nature and commercial to the east. The County’s Future Land Use is Commercial and the Applicant is continuing that with the City of Webster.

## **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

Service is available from the City of Webster. Connection will be required in the future when commercial development ensues.

### 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 1.1.2 Development Pattern**

Land development regulations shall encourage a development pattern that maximizes the utilization of existing and planned infrastructure, promotes a vibrant economy, and protects agricultural and natural resources. Such regulations shall address the following:

a. Focus urban development to areas with appropriate existing or planned centralized water and sewer infrastructure;

b. Encourage adaptive reuse and/or redevelopment of existing facilities;

c. Promote a diverse economy by providing appropriate and adaptable development standards that encourage economic development in areas most suitable for development;

e. Encourage higher densities and intensities of development to be located in Urban Areas, inside the Urban Development Area (UDA) where centralized water and sewer facilities and services are available.

*Consistent with the County's JPA, the property recently annexed into the City Webster with the intent to take advantage of the City's utilities and solidify the commercial development pattern coming from the east. The property will continue to maintain a portion of the property for Agricultural exemption as hay production is currently established on the property. It is located inside the Urban Development Area (UDA). The property is suitable a commercial use.*

### **Policy 1.2.9 General Commercial**

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

a. General commercial may be located within or outside the UDA;

b. The maximum floor area ratio when located within a Primary Economic Activity Center is 0.7;

c. The maximum floor area ratio when located inside the UDA boundary is 0.5; and

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

*The parcel is located on CR 478, there currently exists a residential home on the property, but as the office of the Applicant transitions to the property, an Agriculture use will be maintained and the "laydown" yard will be implemented and the home will become an office. This transition plan should not impact the surrounding properties in a negative way as the development will remain essentially the same, with the exception of the outdoor storage of materials. The floor area ration is not expected to increase.*

### **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**

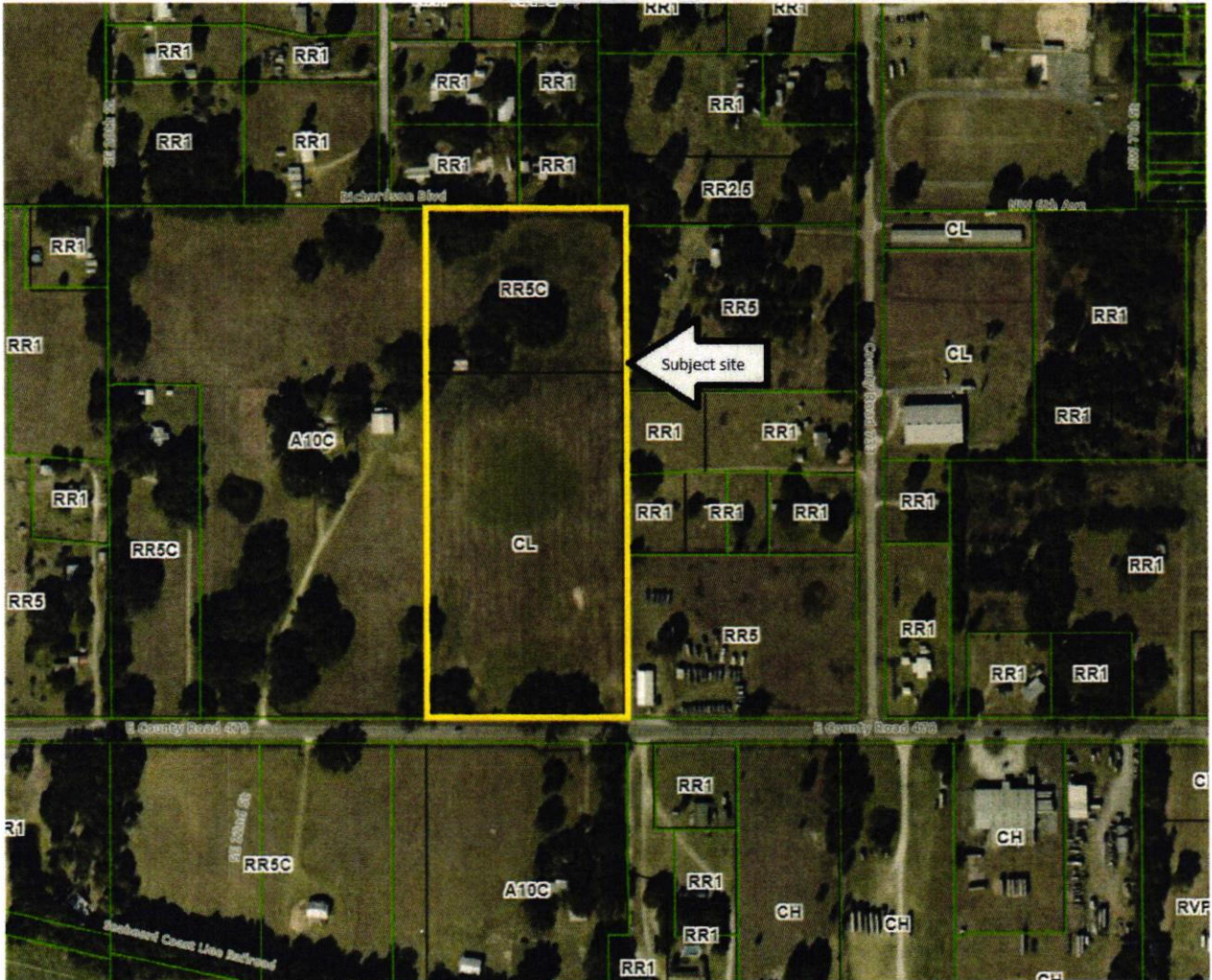
The proposed amendment does not affect the City's Capital Improvements program.

### **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 Unified Comprehensive Plan and recommends approval of the petition.

**Notices Sent: 13**

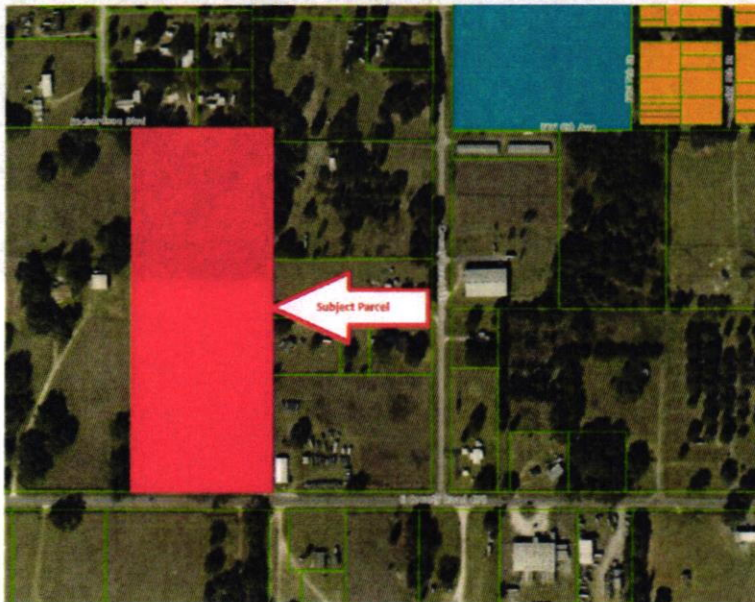
# Map 1 General Location



# Future Land Use Map



- Existing County Land Use
- Commercial
  - Rural Residential



- Proposed Future Land Use – City of Webster
- Commercial
  - Public/Institutional/ Education
  - Urban Residential

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

The Community Planning Act (Florida Statutes Chapter 163) requires future land use amendments to include an analysis to determine whether the proposed amendment contributes to urban sprawl. The proposed land use amendment does not display the sprawl indicators as identified in Florida Statutes Chapter 163.3177.9.a and listed below.

- I. Promotes, allows, or designates for development substantially areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses. **The project site does not make up a substantial part of the City.**
- II. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development. **The subject has an existing Future Land Use of Commercial and is within the Urban Development Boundary of the County. 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 not promote radial, strip, isolated, or ribbon development patterns due to the existing pattern of commercial development in the area.**
- 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 the portion of the property that does have a Special Flood Hazard Area is intended for open space.**
- 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 the parcel is intending to continue to produce agriculture.**
- VI. Fails to maximize use of existing public facilities and services. **The subject property will be required to connect to City when development ensues.**
- VII. Fails to maximize use of future public facilities and services. **The subject property will be required to connect to City utilities when development ensues.**
- VIII. Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education,



health care, fire and emergency response, and general government. Fails to provide a clear separation between rural and urban land uses. **The proposed land use amendment will not disproportionately increase the cost of public services in the area.**

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

Further, a future land use amendment is required to meet four or more criteria listed in FS 163.3177.9.b. The proposed land use amendment meets the following four listed criteria:

- (I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on that protects natural resources and ecosystems. **The subject property does not contain significant native vegetation.**
- (V) Preserves Agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils. **The proposed amendment 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 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.**

**Board of County Commissioners**  
**Sumter County, Florida**  
**Development Services Department**  
**Planning Services**

7375 Powell Road, Suite 115 • Wildwood, FL 34785 • Phone (352) 689-4400 • FAX: (352) 689-4401  
Website: <http://sumtercountyfl.gov>



**City of Webster**

Case No. \_\_\_\_\_  
Date Rec'd \_\_\_\_\_  
Planner \_\_\_\_\_

Hearing Dates:  
PZB \_\_\_\_\_  
Council 1st \_\_\_\_\_  
Council Final \_\_\_\_\_

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**LAND USE AMENDMENT AND/OR REZONING APPLICATION**

**Check Requested Application(s)**

- Rezoning  
 Small Land Use Amendment (< 50 acres)  
 Large Land Use Amendment (50 acres or more)

**Applicant Information**

Name of Property Owner(s) Midsouth Sumter, LLC  
Address PO Box 1330 Bushnell, FL 33513  
Owner Phone 352-446-7272 Email scott@midsouth.info  
Name of Agent Scott Smith  
Address PO Box 1330 Bushnell, FL 33513  
Agent Phone 352-446-7272 Email scott@midsouth.info

**Property Information**

Legal Description of the property (provide below or attach)

See attached.

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Street Address 2236 E C 478 Webster, FL 33597  
Parcel(s) # N36-207 Current Use Ag  
Current Future Land Use Commercial Current Zoning CL & RR5  
Requested Future Land Use Commercial Requested Zoning CH  
Acreage Requested 15

Reason for the Request (be specific)

Existing zoning was split and would like to change entire property to the

same classification.


**Please Provide**

- Recorded deed or other proof of ownership
- Signed authorization if applicant is not the landowner
- Legal description of the area under application. (lengthy or complex legal descriptions may be required in digital/text format)
- Applicable Application Fee (fee schedule on Page 3)
  - Payment may be made by cash, check, or credit/debit card. Checks shall be made payable to BOCC Sumter County. A convenience fee will be added to the total for credit/debit card payment.
  - Application fees are considered non-refundable at the time of application. Exceptions may be considered on a case by case basis by the County Administrator.

All properties for which applications require public hearings before the planning and zoning board (PZB) shall be posted by the applicant with plaques furnished by the director. Such plaques shall identify the application, the requested action, and the date, time and place of hearing. Plaques shall be sufficiently conspicuous in terms of size, location, and content to provide reasonably adequate notice to potentially interested persons of the matter that will appear on the authority's agenda. Such notices shall be posted at least seven (7) days prior to the first hearing at which the subject property will be considered, at locations specified by the director. (Webster Land Development Code Sec. 13-315(a)(2))

**As the owner/lessee/tenant/agent, I understand any action on my application will be governed by the City of Webster's Comprehensive Plan and Land Development Code, and my payment of the non-refundable application fee will not guarantee approval.**

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

  
\_\_\_\_\_  
Signature

7-24-24  
\_\_\_\_\_  
Date

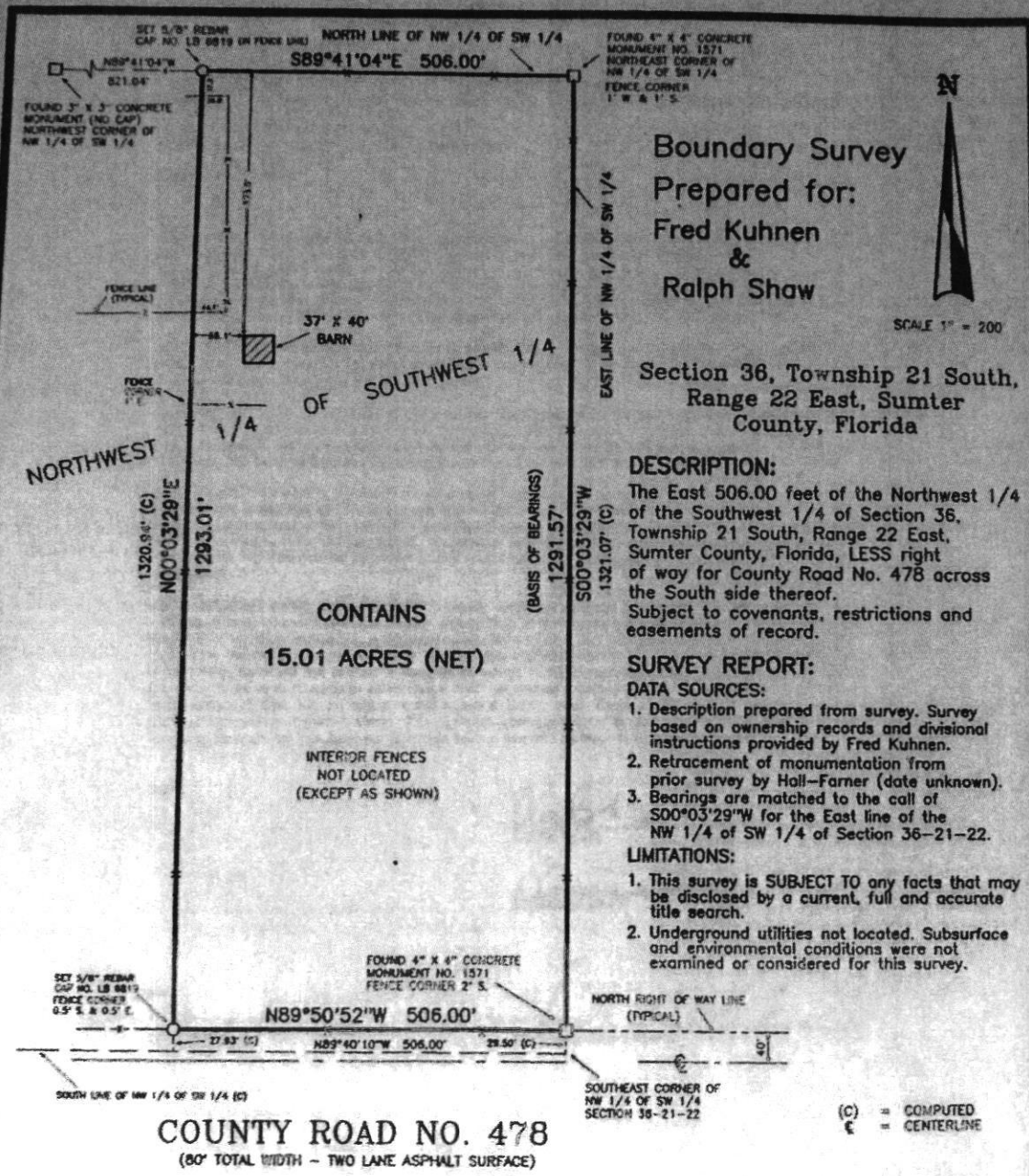
SCOTT SMITH  
\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

The public hearing for the PZB will be scheduled once the application is found to be complete. The PZB hearing will be at 6:00 p.m. at Webster City Hall 85 E Central Ave., Webster, FL 33597. The property owner's appearance or authorized representative's appearance is required at the LPA hearing. Failure of the property owner's attendance or the authorized representative's attendance will cause the application to be handled in accordance with the policy adopted in the Webster Land Development Code. Hearings may be postponed



Boundary Survey  
 Prepared for:  
 Fred Kuhnen  
 &  
 Ralph Shaw



Section 36, Township 21 South,  
 Range 22 East, Sumter  
 County, Florida

**DESCRIPTION:**  
 The East 506.00 feet of the Northwest 1/4 of the Southwest 1/4 of Section 36, Township 21 South, Range 22 East, Sumter County, Florida, LESS right of way for County Road No. 478 across the South side thereof.  
 Subject to covenants, restrictions and easements of record.

**SURVEY REPORT:**  
**DATA SOURCES:**  
 1. Description prepared from survey. Survey based on ownership records and divisional instructions provided by Fred Kuhnen.  
 2. Retracement of monumentation from prior survey by Hall-Farmer (date unknown).  
 3. Bearings are matched to the call of  $S00^{\circ}03'29''W$  for the East line of the NW 1/4 of SW 1/4 of Section 36-21-22.

**LIMITATIONS:**  
 1. This survey is SUBJECT TO any facts that may be disclosed by a current, full and accurate title search.  
 2. Underground utilities not located. Subsurface and environmental conditions were not examined or considered for this survey.

**HUNT'S SURVEYING & MAPPING**  
 1315 W. C-476, P.O. BOX 283, BUSHNELL, FLORIDA 33513

LICENSED BUSINESS NO. 6819  
 Phone: (352) 793-3260 Fax: (352) 793-4669

**CERTIFICATION:**  
 THIS CERTIFIES THAT THIS SURVEY AND MAP CONFORMS WITH THE MINIMUM TECHNICAL STANDARDS FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA: CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.  
CP, RANDOM 37, MINIMUM REFERENCES: CLIENT FILE

VOID UNLESS EMBOSSED WITH RAISED SURVEYORS SEAL  
 CERTIFIED TO:  
 FRED KUHNEN, RALPH SHAW,  
 COMMUNITY NATIONAL BANK OF PASCO COUNTY, W. SCOTT WYNN,  
 ATTORNEY AND ATTORNEYS' TITLE INSURANCE, INC.

Date of Survey: 2/28/03  
 Revisions: SWING CERTIFYING 8/10/03  
 Signature: *Douglas K. Hunt*  
 DOUGLAS K. HUNT, Professional Surveyor and Mapper  
 Florida Certificate No. 2480  
 PLAT BOOK FILE 50 PAGE 5317

**AFFIDAVIT OF PUBLICATION**

State of Florida, County of Orange, ss:

Samantha Pryor, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Sumter Sun Times, a newspaper printed and published in the City of Bushnell, County of Sumter, State of Florida, and that this affidavit is Page 1 of 2; 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:

**PUBLICATION DATES:**

- Aug 1, 2024

**NOTICE ID:** HEHH9MzNSxpsRYOPojC3

**NOTICE NAME:** CITY OF WEBSTER ORDINANCES

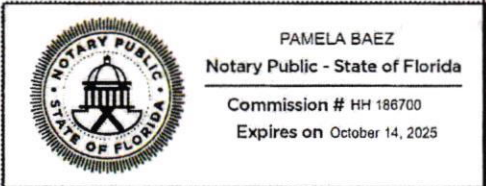
**Publication Fee:** \$206.78

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

(Signed) Samantha Pryor

**VERIFICATION**

State of Florida  
County of Orange



Subscribed in my presence and sworn to before me on this: 08/01/2024

[Signature]  
Notary Public

Notarized remotely online using communication technology via Proof.

**NOTICE OF INTENT TO  
CONSIDER CITY OF WEBSTER ORDINANCES  
FOR LAND USE CHANGE AND REZONING**

NOTICE IS HEREBY GIVEN that the City Council of the City of Webster will consider the enactment of City Ordinances on the following subject:

AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA AMENDING THE CITY OF WEBSTER COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED; PROVIDING FOR AMENDMENT OF THE FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT OF THE CITY OF WEBSTER COMPREHENSIVE PLAN RELATIVE TO CERTAIN REAL PROPERTY, APPROXIMATELY 14.93 ACRES (TAX PARCEL IDENTIFICATION NUMBER N36-207, AND DESCRIBED IN THIS ORDINANCE FROM THE COMMERCIAL FUTURE LAND USE DESIGNATION (COUNTY) TO THE COMMERCIAL FUTURE LAND USE DESIGNATION (WEBSTER); PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ASSIGNMENT OF THE LAND USE DESIGNATION FOR THE PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR RATIFICATION OF PRIOR ACTS OF THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

And  
AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA PROVIDING FOR THE REZONING OF REAL PROPERTY TOTALING 14.93 ACRES, MORE OR LESS, IN SIZE (TAX PARCEL IDENTIFICATION NUMBER N36-207 WITHIN THE CITY LIMITS FROM COUNTY RR5C AND CL TO CH (HEAVY COMMERCIAL) ZONING DISTRICT; PROVIDING FOR THE TAKING OF IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR THE ADOPTION OF A MAP BY REFERENCE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

**Requested action:**

**SS-24-13085:** Small scale comprehensive plan amendment to change the Future Land Use from Commercial (County) to Commercial (City) on 14.93 acres MOL. The property was recently annexation.

**R-24-13084 :** Rezone the same property from RR5C and CL (Rural Residential and Commercial Light- County) to CH (Heavy Commercial - City).

The proposed ordinances will be heard at three (3) public hearings as follows:

**Planning and Zoning Board**  
6:00 PM, August 8, 2024

**City Council – first reading**  
6:00 PM, August 15, 2024

**City Council – second reading and final votes**  
6:30 P.M., September 19, 2024

The meetings will be held at the Webster City Hall, 85 E. Central Avenue Webster, FL 33597

The proposed ordinances may be inspected at City Hall between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday or Sumter County Development Services Department located at 7375 Powell Road, Suite 115, Wildwood, FL, between the hours of 7:30 A.M. and 4:00 P.M. Monday through Friday.

All persons are advised that if they decide to appeal any decision

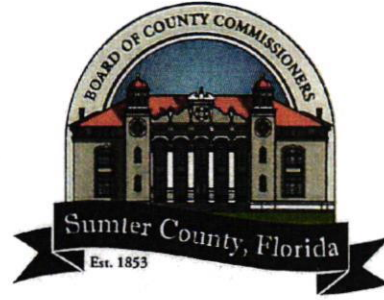
made by the Council on this matter, they will need a record of the proceedings, and may need to ensure that a verbatim record is made, which includes testimony and evidence upon which the appeal is to be based.

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 Manager at (352) 793-2073 at least 48 hours prior to the meeting time.

**Published: 8/01/2024**

# Board of County Commissioners Sumter County, Florida

7375 Powell Road, Suite 200 • Wildwood, FL 34785 • Phone (352) 689-4400 • FAX: (352) 689-4401  
Website: <http://sumtercountyfl.gov>



SIZEMORE RONNIE & JANICE (LE)  
9871 SE 22ND ST  
WEBSTER, FL 33597

July 29, 2024

## CITY OF WEBSTER APPLICATIONS

To property owners whose property boundaries are within a distance of **500 feet** of the outside perimeter of property in the name of **MidSouth Sumter LLC** (See map on reverse side). This property is being considered at a public hearing for a land use amendment and rezoning.

**SS-24-13085** Change the future land use from Commercial (County) to Commercial (Webster) on 14.93 acres MOL The property was recently annexed into the City.

**R-24-13084** Rezone the same property from RR5C (Rural Residential-County) and CL (Commercial Light – County) to CH (Commercial Heavy- Webster).

A public hearing before the Planning and Zoning Board will be held at the Webster City Hall, 85 E. Central Avenue Webster, FL 33597 on **August 8, 2024, at 6:00 p.m.**

The recommendation of the Local Planning Agency on the land use change and rezoning will be presented to City Council at two (2) Public Hearings to be held on **August 15, 2024, at 6:00 p.m** and **September 19, 2024 at 6:00 p.m.**

Written comments submitted will be heard. Hearings may be continued from time to time as found necessary. Please return this form to: SUMTER COUNTY PLANNING DIVISION, 7375 Powell Road, Suite 115, Wildwood, Florida, 34785. Alternatively, comments may be emailed to [Jennifer.Bryla@SumterCountyfl.gov](mailto:Jennifer.Bryla@SumterCountyfl.gov) Please include the case number on all emails. Questions should be directed to Jennifer Bryla at the Planning Division at (352) 689-4400.

I support the above.  
 I have no comment on the above.  
 I do not support the above for the following reason(s): \_\_\_\_\_

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7375 Powell Road  
Wildwood, FL 34785

Andrew Bilardello, District 2  
2<sup>nd</sup> Vice Chairman  
(352) 689-4400  
7375 Powell Road  
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Craig A. Estep, District 3  
Chairman  
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Oren Miller, District 5  
(352) 689-4400  
7375 Powell Road  
Wildwood, FL 34785

Bradley S. Arnold,  
County Administrator  
(352) 689-4400  
7375 Powell Road  
Wildwood, FL 34785

Gloria R. Hayward, Clerk & Auditor  
(352) 569-6600  
215 East McCollum Avenue  
Bushnell, FL 33513

County Attorney  
The Hogan Law Firm  
Post Office Box 485  
Brooksville, Florida 34605

**ORDINANCE NO. 2024-22**

**AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA PROVIDING FOR THE REZONING OF REAL PROPERTY TOTALING 14.93 ACRES, MORE OR LESS, IN SIZE (TAX PARCEL IDENTIFICATION NUMBER N36-207 WITHIN THE CITY LIMITS FROM COUNTY RR5C AND CL TO CH (HEAVY COMMERCIAL) ZONING DISTRICT; PROVIDING FOR THE TAKING OF IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR THE ADOPTION OF A MAP BY REFERENCE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE..**

**WHEREAS**, MidSouth Sumter LLC. mailing address: 132 Bushnell PLZ. Bushnell, FL 33513 is the owner of the property which is the subject of this Ordinance; and

**WHEREAS**, the real property, totaling 14.93 +/- acres in size, is located West side of CR 733, and north of E. C 478; and

**WHEREAS**, MidSouth Sumter, LLC. owned the subject property, in July of 2024 when a voluntary annexation into the municipal limits of the City of Webster, Florida.; and

**WHEREAS**, the City of Webster adopted an ordinance for the subject property reassignment 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, as well as the recitals (whereas clauses) to this



Ordinance.

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

(c). The subject property, which is 14.93 acres MOL in size, is located on the West side of CR 733, and north of E. C 478 (Tax Parcel Number N36-207). The legal description of the subject property is provided in Attachment A.

(d). Public services are not currently available to the real property which is the subject of 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 14.93 acres MOL in size, shall be rezoned from the County's RR5C (Rural Residential) and CL (Commercial Light) to the City's CH (Heavy Commercial) 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. 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 2024-21 relating to the Comprehensive amendment becomes effective..

**PASSED AND ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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

\_\_\_\_\_  
**Anagalys Vigoa, Mayor**

**Approved as to form and Legality:**

**ATTEST:**

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

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



ATTACHMENT 2

Legal Description

THE E 506 FT OF THE NW 1/4 OF SW 1/4 LESS R/W FOR CR 478 ACROSS THE S SIDE  
THEREOF

**CITY OF WEBSTER**  
**REZONING APPLICATION**

**PLANNING & ZONING**  
AUGUST 8, 2024 (No Quorum)

**September 12, 2024**

**CITY COUNCIL**  
AUGUST 15, 2024 (Set the New Dates for the Public Hearing)

**SEPTEMBER 19, 2024**

**CASE NUMBER:** R-24-13084

**LANDOWNER:** MidSouth Sumter LLC

**APPLICANT:** City of Webster

**REQUESTED ACTION:** Rezone 14.93 acres from RR5C and CL (County) to CH (Webster) concurrent with small scale amendment SS-24-13085

**PARCEL NUMBER:** N36-207

**LEGAL DESCRIPTION:** THE E 506 FT OF THE NW 1/4 OF SW 1/4 LESS R/W FOR CR 478 ACROSS THE S SIDE THEREOF

**PARCEL SIZE:** 14.93 acres MOL

**LOCATION:** West side of CR 733, and north of E. C 478 (Map 1).

**GENERAL DESCRIPTION AND BACKGROUND**

The subject property currently sits south and west of the City, however the parcel was annexed into the City at the final hearing on July 11, 2024. This annexation is consistent with the Joint Planning Agreement with the County. This initiative is in order to eventually accomplish a more compact and focused area of development around the cities and to conserve resources. As described the subject property was previously within the unincorporated part of the County with a split zoning of RR5C & CL (Rural Residential and Commercial Light). The parcel is also within the Urban Development Boundary of the County. This area is intended to see more intense development. The existing Future Land Use and Zoning are considered inconsistent with

one another and the split zoning only exacerbates the situation. Rezoning the property to CH with the concurrent small scale land use application will render the property compliant with the Comprehensive Plan and the Land Development Code. The property is currently designated e L. This amendment will allow for the existing business to continue usage of the property as needed for “lay down” purposes as well as allow for grazing on the land.

The subject property holds an existing home, however the Applicant who currently does business in City of Bushnell would ultimately like to move his business office to the property. The business model is that of an underground utility business. They lay pipe and various other necessary requirements for infrastructure creation. As a component of this business, they are required to store supplies in a “laydown” yard. This use requires a Commercial Land Use and Zoning. As such the applicant is requesting a General Commercial (C) Land Use category and a unified Zoning district of heavy commercial (CH). This district will allow for the office use and the laydown yard. Currently the zoning on the parcel is split which is problematic for future development. This requested action is actually bringing the parcel into greater compliance with Land Use and Zoning. The surrounding neighborhood is rural residential in nature and commercial to the east. The County’s Future Land Use is Commercial and the Applicant is continuing that with the City of Webster.

#### **CASE SUMMARY**

The rezoning will add the property to the City’s Zoning Map with a CH zoning designation. The CH zoning assignment will allow for the operation of the existing business to be able to relocate into the City of Webster as well as the continued operation of agricultural production.

#### **CASE ANALYSIS:**

The request is to adopt City zoning as the property has already been annexed. This application is concurrent with small scale land use amendment SS-24-13085 which seeks a to retain the Commercial Future Land Use assignment

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

- a) Change of conditions, or absence of changed conditions.  
*The property has been annexed into Webster.*
- b) Community need, or lack of community need.  
*The requested rezoning will allow the business to locate into the City of Webster consistent with the pattern of development to the East.*
- c) Benefits to the community.  
*The rezoning will benefit the community by allowing the property owner to take advantage of an existing future land use designation.*
- d) The rights of private property owners.  
*This rezoning will provide consistency between the future land use and the zoning district that was not previously there.*

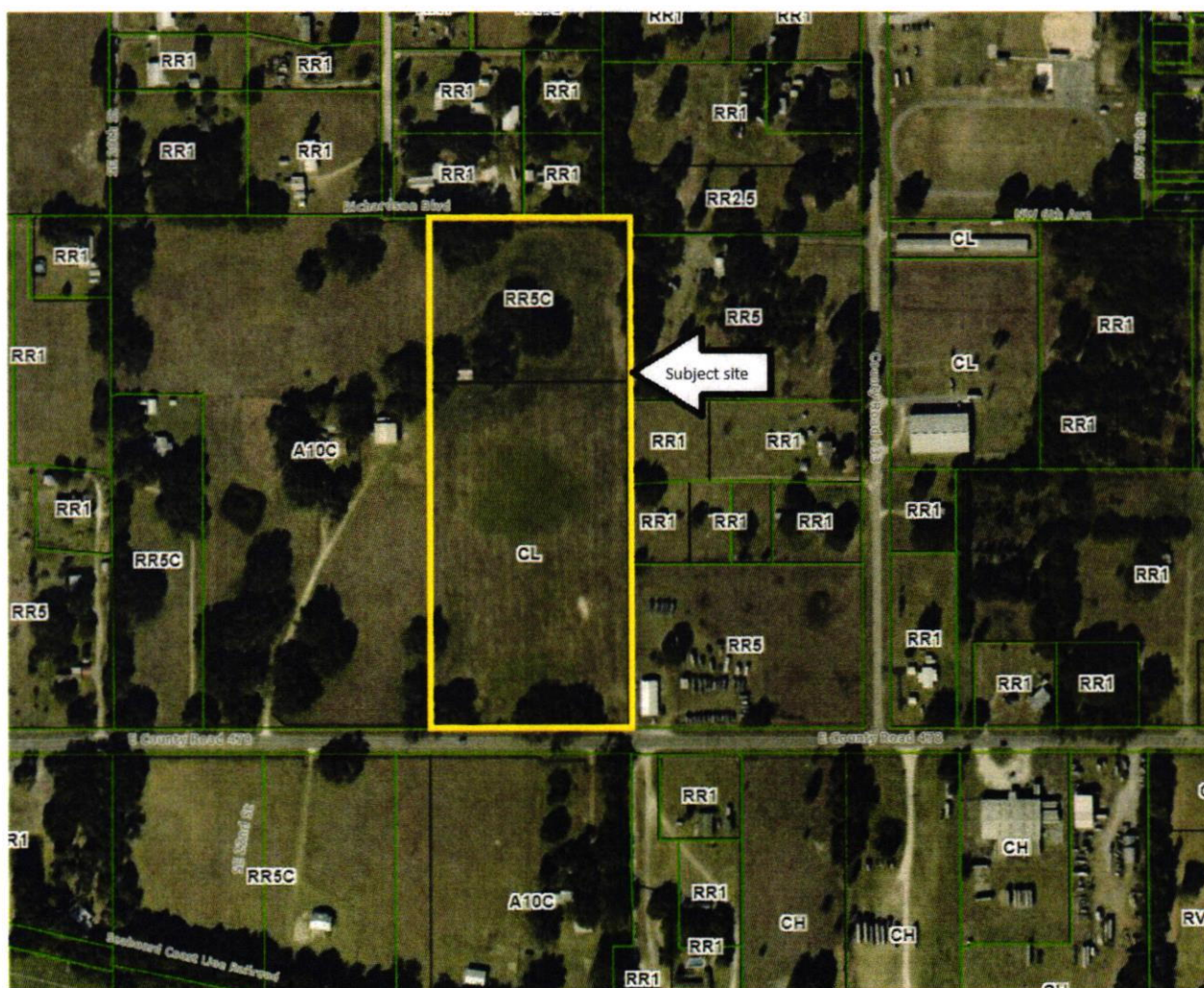
#### **CONCLUSIONS**

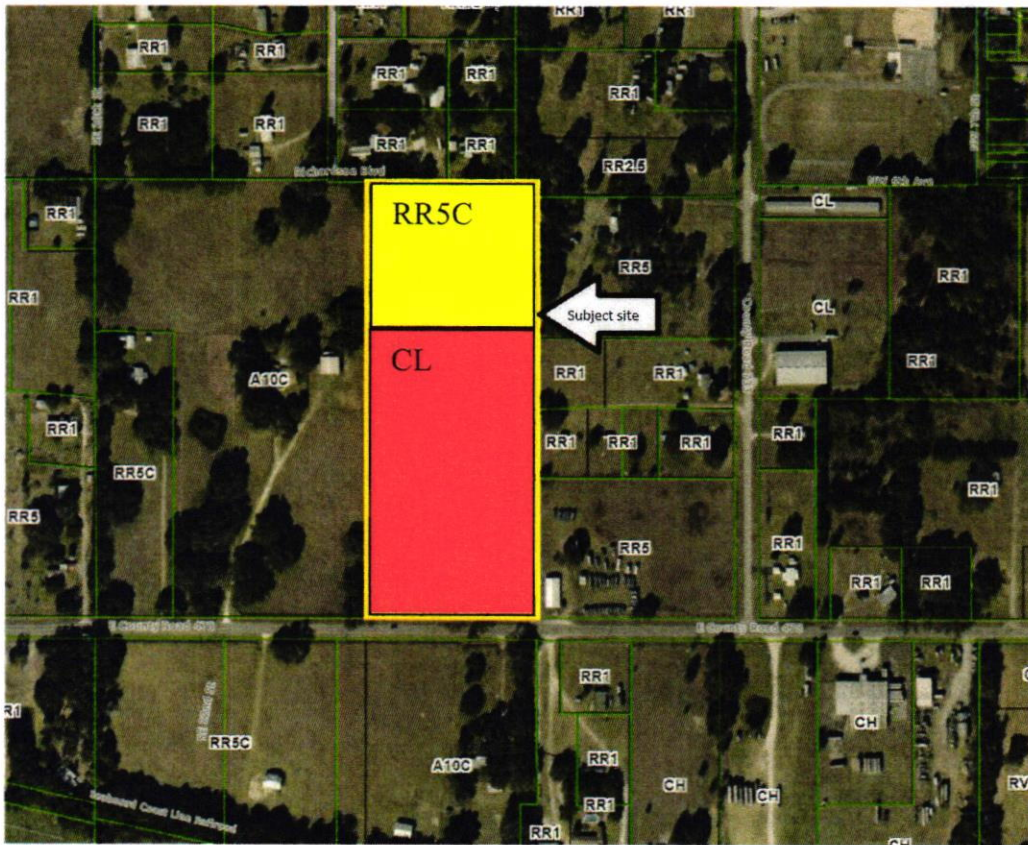
Staff deemed the application sufficient for review. Staff has found the request in compliance with the minimum requirements of the Webster Land Development Code and Comprehensive

Plan and recommends approval contingent upon approval of future land use amendment SS-24-13085.

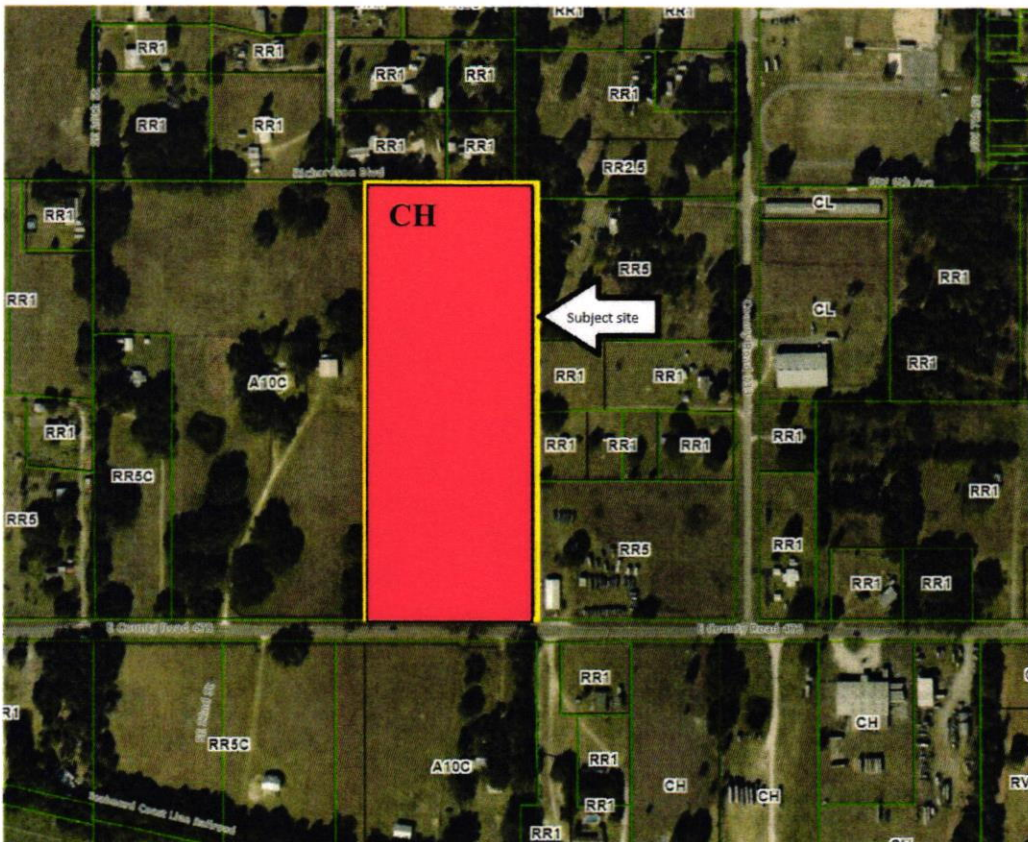
Notices Sent: 23

Map 1  
General Location





**Current Zoning**

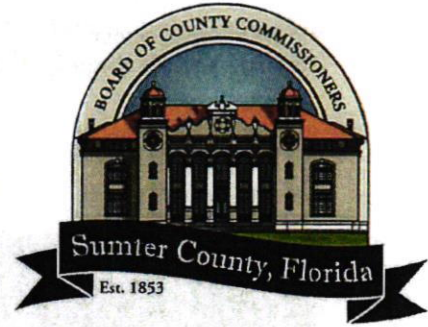


**Proposed Zoning**



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215 East McCollum Avenue  
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County Attorney  
The Hogan Law Firm  
Post Office Box 485  
Brooksville, Florida 34605

Please return comments by email, drop-off, or USPS no later than. **August 7, 2024.**  
Case(s): SS-24-13085; R-24-13084

### General Location

