



**PLANNING & ZONING BOARD AS LOCAL PLANNING AGENCY - CITY OF
WILDWOOD**

Special Magistrate – Lindsay C.T. Holt

**Agenda
Regular Meeting
October 3, 2023 2:00 PM
City Hall Commission Chamber
100 N Main Street**

Persons with disabilities or language barriers needing assistance to participate in any of these proceedings should contact the City Clerk's Department, ADA Coordinator, at 352-330-1330, Ext. 103, forty-eight (48) hours in advance of the meeting.

F.S.S. 286.0105 - If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City of Wildwood DOES NOT provide this verbatim record.

I. Call to Order

II. APPROVAL OF SUMMARY MINUTES

1. **Planning and Zoning Board as Local Planning Agency/Special Magistrate
- Regular Meeting September 05, 2023, at 2:00 PM**

III. OLD BUSINESS

IV. NEW BUSINESS

1. **CP 2308-001 Sheila Bernstein
AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, PROPOSING A**

SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE ADOPTED COMPREHENSIVE PLAN AND FUTURE LAND USE MAP IN ACCORDANCE WITH THE COMMUNITY PLANNING ACT OF 2011, AS AMENDED; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

PARCEL(S) D19-121, D19-027, D19-120 & D19-110

The applicant Sheila Bernstein seeks approval from the Planning and Zoning Board acting as the Local Planning Agency/Special Magistrate for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation from Agricultural (County) to Agricultural (City) for the parcel listed above on 37.96 acres MOL. This request is accompanied by rezoning request RZ 2308-001. **Staff recommends approval and a favorable recommendation of Ordinance Number O2023-55 be forwarded to the City Commission for further action.**

V. ADJOURNMENT

October 3, 2023 2:00 PM

PLANNING & ZONING BOARD AS LOCAL PLANNING AGENCY
CITY OF WILDWOOD, FLORIDA
REGULAR MEETING
September 5, 2023 2:00 PM
CITY HALL COMMISSION CHAMBER

(meeting taped)

I. Call to Order

Attendee Name	Title	Status
Lindsay C.T. Holt	Special Magistrate	Present
Shaun Raja	City Planner	Present
Anarquis Frias	City Planner	Present
Jessica Barnes	City Clerk	Present

Special Magistrate Holt brought the meeting to order and explained the quasi-judicial process of the meeting. She then proceeded with the swearing-in of city staff and audience members.

II. APPROVAL OF SUMMARY MINUTES

1. Planning and Zoning Board as Local Planning Agency/Special Magistrate
- Regular Meeting August 1, 2023 at 2:00 PM

Special Magistrate Holt saw no revisions necessary and approved the summary minutes for the August 1, 2023, meeting.

RESULT:	Adopted
MOVER:	Special Magistrate Holt
SECONDER:	None
AYES:	Special Magistrate Holt

III. OLD BUSINESS

None.

IV. NEW BUSINESS

1. CP 2307-001 Isaiah 43:19 LLC

Special Magistrate Holt read aloud the title of CP 2307-001 Isaiah 43:19 LLC. The item was presented by Planner Shaun Raja. The applicant, Merideth Nagel of Isaiah 43:19, LLC, seeks approval from the Planning and Zoning Board acting as the Local Planning Agency/Special

Magistrate for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation from Medium Density Residential (City) to Central Mixed Use (City) for parcel G05-068 on 1.225 acres MOL. The owner/applicant was not present. No comments were offered or received.

RESULT:	Recommends Approval
MOVER:	Special Magistrate Holt
SECONDER:	None
AYES:	Special Magistrate Holt

2. CP 2308-002 Fostlake #2

Special Magistrate Holt read aloud the title of CP 2308-002 Fostlake #2. The item was presented by Planner Shaun Raja. The applicant, Fostlake, LLC, seeks approval from the Planning and Zoning Board acting as the Local Planning Agency/Special Magistrate for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation from Rural Residential (County) to Residential Mixed Use (City) for parcel G22-025 on 3.76 acres MOL. The owner/applicant was not present. No comments were offered or received.

RESULT:	Recommends Approval
MOVER:	Special Magistrate Holt
SECONDER:	None
AYES:	Special Magistrate Holt

V. ADJOURNMENT

The meeting was adjourned at 2:06 p.m. No comments were offered or received.

RESULT:	Adjourned
MOVER:	Special Magistrate Holt
SECONDER:	None
AYES:	Special Magistrate Holt

PLANNING & ZONING BOARD AS LOCAL
PLANNING AGENCY
CITY OF WILDWOOD, FLORIDA

SEAL

Date

Lindsay C.T. Holt,
Special Magistrate
City of Wildwood, Florida

**PLANNING & ZONING BOARD AS LOCAL PLANNING AGENCY OF THE
CITY OF WILDWOOD**

EXECUTIVE SUMMARY

SUBJECT: CP 2308-001 Sheila Bernstein

REQUESTED ACTION: Staff recommends approval and a favorable recommendation of Ordinance Number O2023-55 be forwarded to the City Commission for further action.

CONTRACT:

Vendor/Entity:

Effective Date:

Termination Date:

Managing Division/Department:

BUDGET IMPACT:

HISTORY/FACTS/ISSUES:

Case #	CP 2308-001 Sheila Bernstein
Ordinance #	O2023-55
Applicant	Sheila Bernstein
Owner	Sheila Bernstein
Property Location	Generally located along CR 216, approximately 0.63 miles west of the intersection of N US 301 and CR 216.
Parcel Number(s)	D19-121, D19-027, D19-120 & D19-110
Date	9/22/2023

The applicant Sheila Bernstein seeks approval from the Planning and Zoning Board acting as the Local Planning Agency/Special Magistrate for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation from Agricultural (County) to Agricultural (City) for the parcel listed above on 37.96 acres MOL. This request is accompanied by rezoning request RZ 2308-001.

Staff believes the proposed amendment should be granted based on the following criteria found in Land Development Regulation (LDR) §1.7(D).

(1) Justification of the proposed amendment has been adequately presented;

The applicant is proposing the current land use designation, with the property to be split for personal reasons. Justification has been presented to the city to support the proposed change, with the surrounding parcels on the FLUM depicting primarily low-density/rural residential land use designations. All parcels within the immediate surroundings are a mixture of rural residential and agriculture within the county, with the area situated within the Joint Planning Area (JPA).

(2) The proposed amendment is not inconsistent with the goals, objectives and policies of the comprehensive plan;

The proposed amendment is not inconsistent with the policies of the Comprehensive Plan. Commercial (COM) Future Land Use designation within the 2050 Comprehensive Plan which will allow for a maximum intensity of point two (0.20) FAR on the subject property, designated under the 2050 Comprehensive Plan FLU Policy 1.1.1(a), placing the project within acceptable

development standards. The proposed development will conform with Policy 1.3.4(h) as the applicant currently has no intent to develop the property and is seeking to preserve the open space and natural lands as is. Additionally, the property fits Policy 1.3.4.c. of the Future Land Use Element of the 2050 Comprehensive Plan, which states that the city shall encourage a reduction in building footprints and impervious surface areas to the maximum extent feasible, with the development retaining existing environmental systems present upon the parcel. Separately, the existing mix of uses of Rural Residential is compatible with the desired land use change to Residential Mixed-Use and abides by policy 1.2.8.a. which seeks to contribute to a mix of land uses compatible with existing communities.

Lastly, Policy 1.1.4 stipulates that the City's zoning map shall be consistent with the FLUM, and further refine densities, intensities, and permitted uses. As such the proposed amendment is not inconsistent with the FLUM and conforms with the 2050 Comprehensive Plan as it brings the newly annexed parcel into compliance with the city FLUM.

(3) The proposed amendment should not be considered urban sprawl or exemplify an energy inefficient land use pattern;

The amendment should not be considered urban sprawl, but the area may exemplify an energy-inefficient land use pattern. The subject parcel will remain as is, with the existing structure to remain with minimal changes expected. The proposed development makes no new changes and only seeks to subdivide the property for the current residents. Abiding by Policy 1.2.8.I., as it maintains compatibility with adjacent land uses, and Policy 1.2.8.g. preserving open space, natural resources, and the natural beauty of the site.

(4) The proposed amendment will not have an adverse effect on environmentally sensitive systems;

The proposed amendment will not have an adverse effect on environmentally sensitive systems. The parcel shall retain the existing natural environment, and no additional construction of the site is requested. Natural elements will be left as is, with the land to be subdivided to serve the needs of the applicant.

(5) The proposed amendment will not adversely affect transportation, potable water, sewer, schools or other public facilities without providing remedies to correct the system or facility.

Transportation: Access to the site is proposed via CR 216. A traffic impact statement and/or assessment was waived, with Sumter County accepting that overall trips to the parcel are unlikely to have any adverse effects on the surrounding transportation network.

Potable Water & Sewer: The subject property is within the utility service boundary according to the 2019 Utility Master Plan. City water and sewer are not currently available for the subject property. The applicant/owner will need to work with City utilities to connect to city water and sewer whenever it becomes available.

Schools: The residential development is minor and likely to have minimal effect on Wildwood Schools.

A handwritten signature in black ink, reading "Shaun Raja". The signature is written in a cursive, flowing style.

Shaun Raja
Planner II, Development Services Department

ORDINANCE NO. O2023-55

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, PROPOSING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE ADOPTED COMPREHENSIVE PLAN AND FUTURE LAND USE MAP IN ACCORDANCE WITH THE COMMUNITY PLANNING ACT OF 2011, AS AMENDED; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Wildwood, Florida, is proposing to amend the local Comprehensive Plan and Future Land Use Map of said City, to include a land use amendment described as follows, to-wit:

Parcel(s) D19-121, D19-027, D19-120, D19-110
Sheila Bernstein (Owner)
37.96 Acres +/-

LEGAL DESCRIPTION:

PARCEL 1

A PARCEL OF LAND LYING WITHIN SECTION 19, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF AFORESAID SECTION 19; THENCE ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19 RUN N89°43'18"W A DISTANCE OF 19.89 FEET; THENCE S00°11'37"W A DISTANCE OF 212.73 FEET; THENCE RUN S00°07'35"W A DISTANCE OF 356.68 FEET; THENCE RUN N89°43'09"W A DISTANCE OF 311.75 FEET TO THE EAST LINE OF PROPERTY DESCRIBED IN O.R. BOOK 3035, PAGE 713, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG SAID EAST LINE RUN N00°02'44"E A DISTANCE OF 694.40 FEET TO A POINT THAT IS 125.00 FEET NORTH OF THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19; THENCE PARALLEL WITH SAID NORTH LINE RUN S89°43'18"E A DISTANCE OF 332.73 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 19; THENCE ALONG SAID EAST LINE RUN S00°03'55"W A DISTANCE OF 125.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.03 ACRES, MORE OR LESS.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS DESCRIBED AS FOLLOWS:

A STRIP OF LAND TWENTY (20) FEET WIDE LYING WITHIN SECTION 19, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF AFORESAID SECTION 19; THENCE ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19 RUN N89°43'18"W A DISTANCE OF 19.89 FEET; THENCE S00°11'37"W A DISTANCE OF 212.73 FEET; THENCE RUN S00°07'35"W A DISTANCE OF 1,111.68 FEET TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 19; THENCE ALONG SAID SOUTH LINE RUN N89°43'09"W A DISTANCE OF 310.68 FEET TO THE EAST LINE OF PROPERTY DESCRIBED IN O.R. BOOK 3035, PAGE 713, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, FOR THE POINT OF BEGINNING; THENCE ALONG SAID EAST LINE RUN N00°02'44"E A DISTANCE OF 755.00 FEET; THENCE RUN S89°43'09"E A DISTANCE OF 20.00 FEET; THENCE PARALLEL WITH SAID EAST LINE RUN S00°02'44"W A DISTANCE OF 755.00 FEET TO THE AFORESAID SOUTH LINE OF NORTHWEST 1/4; THENCE ALONG SAID SOUTH LINE RUN N89°43'09"W A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT RIGHT-OF-WAY FOR CR 216 ACROSS THE SOUTH SIDE THEREOF.

PARCEL 2

A PARCEL OF LAND LYING WITHIN SECTION 19, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF AFORESAID SECTION 19; THENCE ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19 RUN N89°43'18"W A DISTANCE OF 19.89 FEET; THENCE S00°11'37"W A DISTANCE OF 212.73 FEET; THENCE RUN S00°07'35"W A DISTANCE OF 356.68 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S00°07'35"W A DISTANCE OF 755.00 FEET TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 19; THENCE ALONG SAID SOUTH LINE RUN N89°43'09"W A DISTANCE OF 310.68 FEET TO THE EAST LINE OF PROPERTY DESCRIBED IN O.R. BOOK 3035, PAGE 713, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG SAID EAST LINE RUN N00°02'44"E A DISTANCE OF 755.00 FEET TO A POINT THAT BEARS N89°43'09"W

OF THE POINT OF BEGINNING; THENCE RUN S89°43'09"E A DISTANCE OF 311.75 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT RIGHT-OF-WAY FOR CR 216 ACROSS THE SOUTH SIDE THEREOF.

SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS ACROSS THE WEST 20 FEET THEREOF.

CONTAINING 5.23 ACRES, MORE OR LESS.

PARCEL 3

A PARCEL OF LAND LYING WITHIN SECTION 19, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF AFORESAID SECTION 19; THENCE ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19 RUN N89°43'18"W A DISTANCE OF 19.89 FEET; THENCE S00°11'37"W A DISTANCE OF 212.73 TO THE POINT OF BEGINNING; THENCE CONTINUE S00°07'35"W A DISTANCE OF 1111.68 FEET TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 19; THENCE ALONG SAID SOUTH LINE RUN S89°43'09"E A DISTANCE OF 395.72 FEET; THENCE DEPARTING SAID SOUTH LINE RUN N00°21'03"E A DISTANCE OF 697.44 FEET; THENCE N02°38'24"E A DISTANCE OF 411.70 FEET; THENCE N89°19'17"W A DISTANCE OF 416.53 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT RIGHT-OF-WAY FOR CR 216 ACROSS THE SOUTH SIDE THEREOF.

CONTAINING 10.01 ACRES, MORE OR LESS.

PARCEL 4

A PARCEL OF LAND LYING WITHIN SECTION 19, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF AFORESAID SECTION 19; THENCE ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19 RUN N89°43'18"W A DISTANCE OF 19.89 FEET; THENCE S00°11'37"W A DISTANCE OF

212.73; THENCE S89°19'17"E A DISTANCE OF 416.53 FEET; THENCE S02°38'24"W A DISTANCE OF 411.70 FEET; THENCE S00°21'03"W A DISTANCE OF 697.44 FEET TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 19; THENCE ALONG SAID SOUTH LINE RUN S89°43'09"E A DISTANCE OF 399.38 FEET TO A POINT ON THE WEST LINE OF THE EAST 550.00 FEET OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19; THENCE ALONG SAID WEST LINE RUN N00°04'34"E A DISTANCE OF 461.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 461.00 FEET OF SAID SOUTHEAST 1/4 OF NORTHWEST 1/4; THENCE ALONG SAID NORTH LINE RUN S89°43'09"E A DISTANCE OF 200.00 FEET TO THE WEST LINE OF THE EAST 350.00 FEET OF SAID SOUTHEAST 1/4 OF NORTHWEST 1/4; THENCE ALONG SAID WEST LINE RUN N00°04'34"E A DISTANCE OF 863.90 FEET TO THE NORTH LINE OF SAID SOUTHEAST 1/4 OF NORTHWEST 1/4; THENCE ALONG SAID NORTH LINE RUN N89°44'53"W A DISTANCE OF 973.80 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT RIGHT-OF-WAY FOR CR 216 ACROSS THE SOUTH SIDE THEREOF.

CONTAINING 17.69 ACRES, MORE OR LESS.

This property is to be reclassified from Agricultural (County) to Agricultural (City) and contains 37.96 acres, more or less:

AND WHEREAS, the City is proposing to amend the Future Land Use Map to include the future land use of property that shall pertain and be applicable to said amendment.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the City Commission of the City of Wildwood, Florida, as follows:

SECTION 1. The adopted local Comprehensive Plan and Future Land Use Map for the City of Wildwood, Florida, are hereby amended to include the above-referenced property and proposed land use amendment as indicated above. The amendment to the Future Land Use Map of the local comprehensive plan is attached hereto as "Exhibit A" and incorporated herein by reference.

SECTION 2. All ordinances or parts of ordinances in conflict herewith, be, and the same are hereby repealed.

SECTION 3. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a Court or competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of said Ordinance.

SECTION 4. This Ordinance shall take effect 31 days after its final reading by the City Commission of the City of Wildwood.

DONE AND ORDAINED this _____ day of _____, 2023, by the City Commission of the City of Wildwood, Florida.

**CITY COMMISSION
CITY OF WILDWOOD, FLORIDA**

Ed Wolf, Mayor

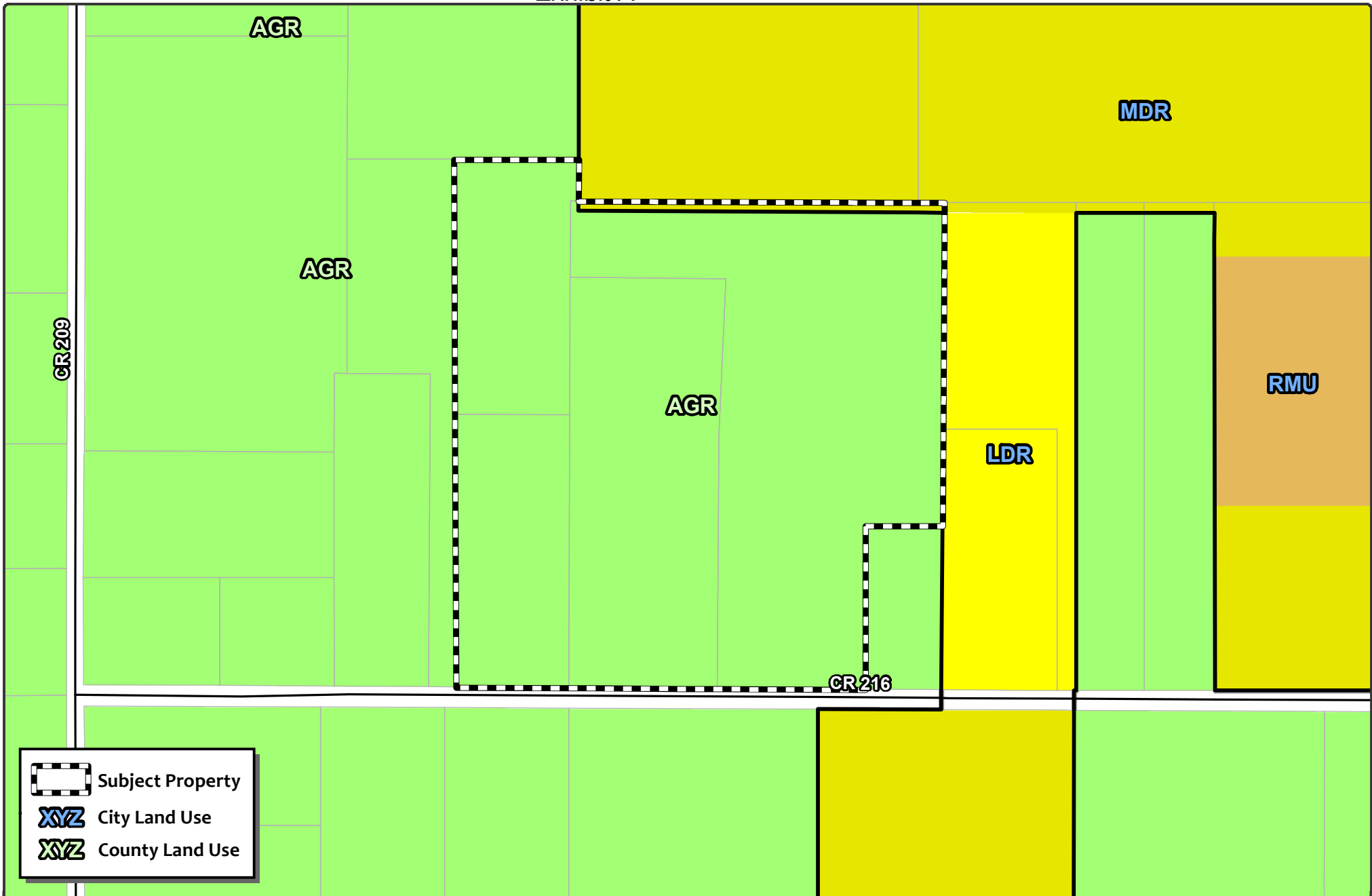
ATTEST: _____
Jessica Barnes, City Clerk

First Reading: _____

Second Reading: _____

Approved as to form:

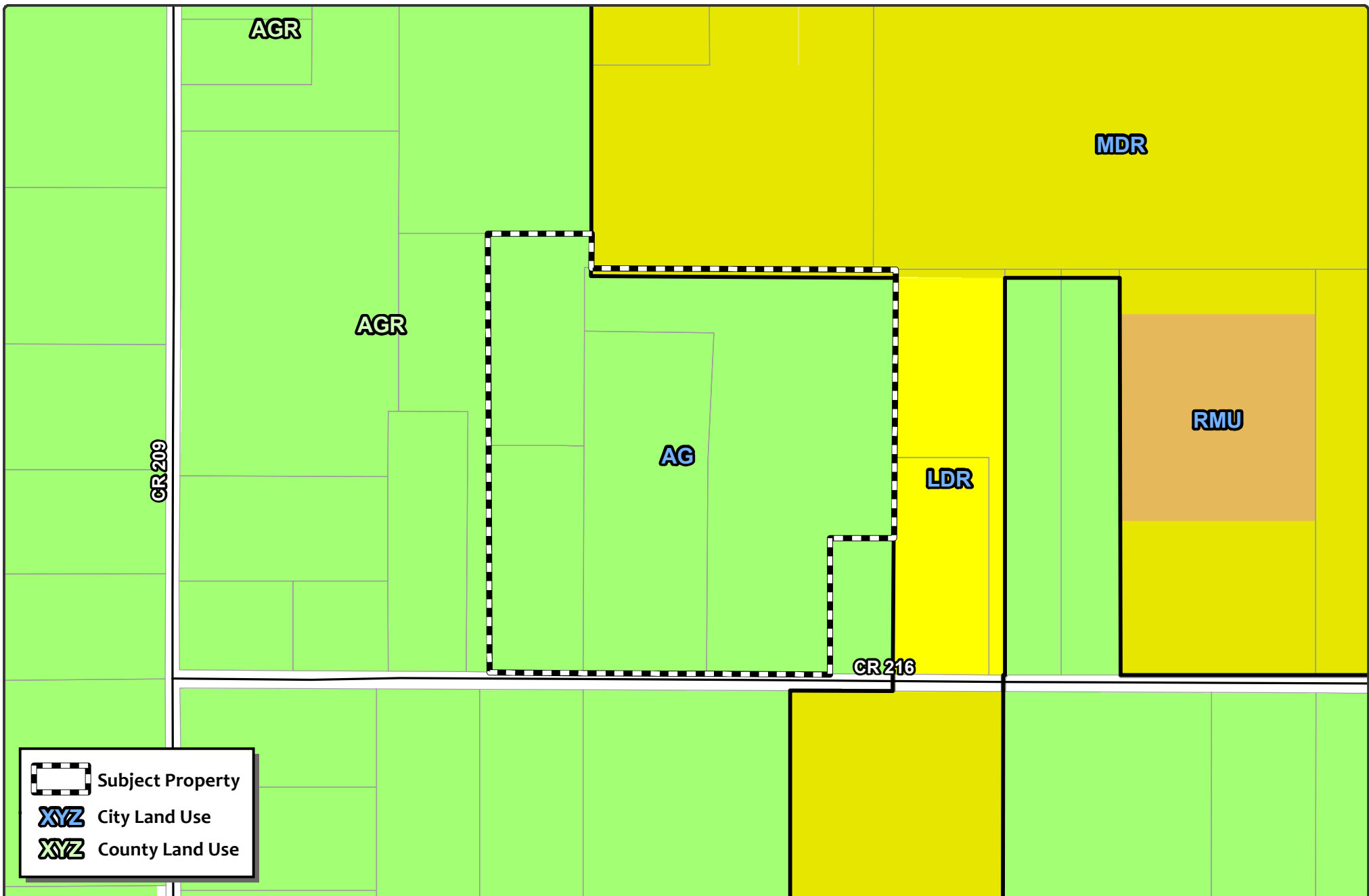
City Attorney



 Subject Property

 City Land Use

 County Land Use



 Subject Property

 City Land Use

 County Land Use