



City Hall

wildwood-fl.gov  
Area Code: 352  
Zip Code: 34785

**CITY HALL**  
100 N. Main Street  
330-1330 Phone  
330-1338 Fax

**CITY MANAGER**  
Extension 109

**CITY CLERK/FINANCE**  
Extension 100

**CUSTOMER SERVICE**  
(Utility Accounts/TDD)  
Extension 130

**DEVELOPMENT SERVICES**  
Planning/Zoning/Concurrency  
Extension 118  
330-1334 Fax

**HUMAN RESOURCES**  
Extension 105  
330-1339 Fax

**PARKS & RECREATION  
COMMUNITY CENTER**  
Reservations:  
Extension 114

**POLICE**  
100 E. Huey Street  
330-1355  
330-1358 Fax

**PUBLIC WORKS**  
410 Grey Street  
330-1343  
330-1353 Fax

**WASTEWATER**  
1290 Industrial Drive  
330-1349  
330-1350 Fax

**WATER**  
801 E. Huey Street  
330-1346  
330-1347 Fax

## AGENDA

### August 6<sup>th</sup>, 2013 at 3:00 pm

#### **PLANNING & ZONING BOARD/SPECIAL MAGISTRATE**

1. **CALL TO ORDER: Planning & Zoning Board as Local Planning Agency**

**Approval of minutes from the Planning and Zoning Board as Local Planning Agency meeting of June 27<sup>th</sup>, 2013.**

2. **OLD BUSINESS:**

**None**

3. **NEW BUSINESS:**

**CP 1307-01 Lenard Powell  
(Parcels G08=099 and G08=105)**  
Small-scale land use change from County Rural Residential to City Commercial.

**CP 1307-02 Bright Oaks  
(Parcel G08=003)**  
Small-scale land use change from County Rural Residential to City Public Facilities.

**CP 1307-03 Wildwood ALF (Mills Property)  
(Parcel G04=050)**  
Small-scale land use change from County Public/Institutional to City Public Facilities.

4. **FORUM**

5. **ADJOURNMENT:**

# **AGENDA**

## **August 6<sup>th</sup>, 2013 at 3:00 pm**

### **PLANNING & ZONING BOARD/SPECIAL MAGISTRATE**

**6. CALL TO ORDER: Planning & Zoning Board**

**Approval of minutes from the June 27<sup>th</sup>, 2013  
Planning & Zoning Board/ Special Magistrate  
meeting.**

**7. OLD BUSINESS:**

**None**

**8. NEW BUSINESS:**

**RZ 1307-01 Lenard Powell**

**(Parcels G08=099 and G08=105)**

Rezoning approval from County R1 and RR1 (Rural Residential) to City C-2 (General Commercial – Neighborhood).

**RZ 1307-02 Bright Oaks**

**(Parcel G08=003)**

Rezoning approval from County RR1 (Rural Residential) to City INS (Institutional).

**RZ 1307-03 Wildwood ALF (Mills Property)**

**(Parcel G04=050)**

Rezoning approval from County PIE (Public/Institution/Education) to City INS (Institutional).

**RZ 1307-04 Parkwood Sumter Properties, Inc.**

**(Parcels D09M380, et. al.)**

Approval and favorable recommendation of a request to modify the existing Planned Development for Parkwood to defer to the current Land Development Regulations (LDRs) in certain situations; specifically to allow for less restrictive accessory setbacks for those lots where the Ordinance is silent.

**AGENDA**  
**August 6<sup>th</sup>, 2013 at 3:00 pm**

**PLANNING & ZONING BOARD/SPECIAL MAGISTRATE**

**SP 1306-03 Pepper Tree Village**  
**(Parcel Numbers D30=003, D30=004, and D30=006)**  
Improvement Plan approval for the Peppertree Village  
Plat for 106 single-family homes.

**9. FORUM**

**10. ADJOURNMENT:**

**APPEAL: NECESSITY OF RECORD.** In order to appeal the Board/Special Magistrate's decision of this matter, a verbatim record of the proceedings is required. The Board/Special Magistrate assumes no responsibility for furnishing said record.

**City of Wildwood  
Planning and Zoning Board/Special Magistrate  
Acting as the Local Planning Agency  
June 27, 2013**

The meeting of the Planning and Zoning Board as Local Planning Agency/Special Magistrate for the City of Wildwood convened on Tuesday, June 27, 2013 in the Commission Chamber of City Hall, 100 North Main Street, Wildwood, Florida.

City Representatives Present: Melanie Peavy, Development Services Director (DSD), Jason McHugh, Development Services Coordinator, Terri O'Neil, GIS Technician, and Gene Losito, City Engineer (Kimley-Horn and Associates).

The hearing was called to order at 3:00 p.m. by Special Magistrate Archie O. Lowry, Jr.

The minutes were approved and signed from the Planning and Zoning Board as Local Planning Agency meeting of May 7<sup>th</sup>, 2013.

**Melanie Peavy, Jason McHugh, and Gene Losito were sworn in at this time.**

**Old Business:**

**NONE**

**New Business:**

**CP 1305-01 MKK Investments (Parcel D17=054)**

Small-scale land use change from County Commercial to City Commercial.

**Melanie Peavy:** Introduced herself and read excerpts from the staff report into the record to present the case before the Planning and Zoning Board as Local Planning Agency. Staff recommends approval of the item.

The Special Magistrate asked a few clarifying questions, which Ms. Peavy addressed.

**Special Magistrate:** Does anyone from the audience have any comments on this matter?

No one from the public stepped forward at this time.

**Special Magistrate:** Any other comments or questions on this case? Hearing none, based upon the testimony and information received in this case and the criteria set forth in section 1.7(D) of the LDRs being met, I recommend approval of the comprehensive plan amendment and Ordinance O2013-22 to the City Commission.

**Special Magistrate:** Is there any other business to come before the Local Planning Agency today?

With no further business to discuss, the Planning and Zoning Board/Special Magistrate as Local Planning Agency meeting for the City of Wildwood was adjourned at approximately 3:04 p.m.

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Date

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Archie O. Lowry, Jr., Special Magistrate  
City of Wildwood, Florida

**CITY OF WILDWOOD**  
**Planning and Zoning Board/Special Magistrate**  
**Acting as the Local Planning Agency**

**Case No:** CP 1307-01

**Parcel Number(s):** G08=105 and G08=099

**Property Location:** West of Powell Road; South of Millennium Park; North of C-44A

**Owner:** Leonard Powell Properties, Inc.

**Applicant:** Leonard Powell

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The applicant seeks approval and a favorable recommendation from the Planning and Zoning Board/Special Magistrate acting as the Local Planning Agency for a Small Scale Comprehensive Plan Amendment from Sumter County "Rural Residential" to City of Wildwood "Commercial" for Parcels G08=105 and G08=099.

The amendment is consistent with the Joint Planning Area Future Land Use Map which has designated commercial land uses for the properties located at or near the intersection of the C-44A and Powell Road.

Staff believes the proposed amendment should be granted based on the following criteria found in Section 1.7(D) of the Land Development Regulations:

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

The subject property is scheduled to be annexed into the City on August 12th, and the City must assign it a Future Land Use Map designation upon annexation. The applicant intends on utilizing the property for commercial uses. With close proximity to the Brownwood Town Center and location along a major roadway, commercial uses on the subject property are appropriate.

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

The proposed amendment is consistent with goals, objectives and policies of the Comprehensive Plan. Specifically, the proposed amendment is consistent with the intent of the Comprehensive Plan in promoting development within the Joint Planning Area. The proposed designation of "Commercial" is consistent with the agreed upon land use plan between the City and the County as shown on the Joint Planning Area Future Land Use Map which has been adopted into the City's Comprehensive Plan.

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

The amendment is not considered urban sprawl, and it does not exemplify an energy inefficient land use pattern. The proposed amendment is considered infill development as the property is located in an area deemed appropriate for development by both the City and the County.

(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 subject property does not contain any wetlands or areas within the 100-Year Flood Plain. The property subject to the amendment is located in an area suitable for development. However, prior to site plan approval the property is required to submit an environmental assessment to determine if protected species are located on the property.

(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.

As previously stated, the proposed amendment is consistent with the Joint Planning Area Future Land Use Map. All impacts to public facilities and services as a result of the increased development potential within the Joint Planning Area were addressed during the Joint Planning Area Comprehensive Plan Amendment (Summer of 2012). As such, the amendment will not adversely affect any public facilities or services.

Therefore, Staff **suggests approval and a favorable recommendation of Ordinance #02013-31** (attached), to be forwarded to the City Commission for further action.

The Planning and Zoning Board/Special Magistrate acting as the Local Planning Agency has a duty to make recommendations to the City Commission on all comprehensive plan amendments pursuant to the Section 1.7(D) of the Land Development Regulations.

This office has duly noticed this meeting as prescribed by City of Wildwood Code for PUBLIC NOTICES in the City of Wildwood. Notice of Hearing has been sent via Certified Mail to all property owners adjoining the property in question. Notice has been posted on the Notice Board at City Hall and on the bulletin board at the Wildwood Post Office. A notice of this meeting was published in a newspaper of general circulation (Daily Commercial) on July 26, 2013.

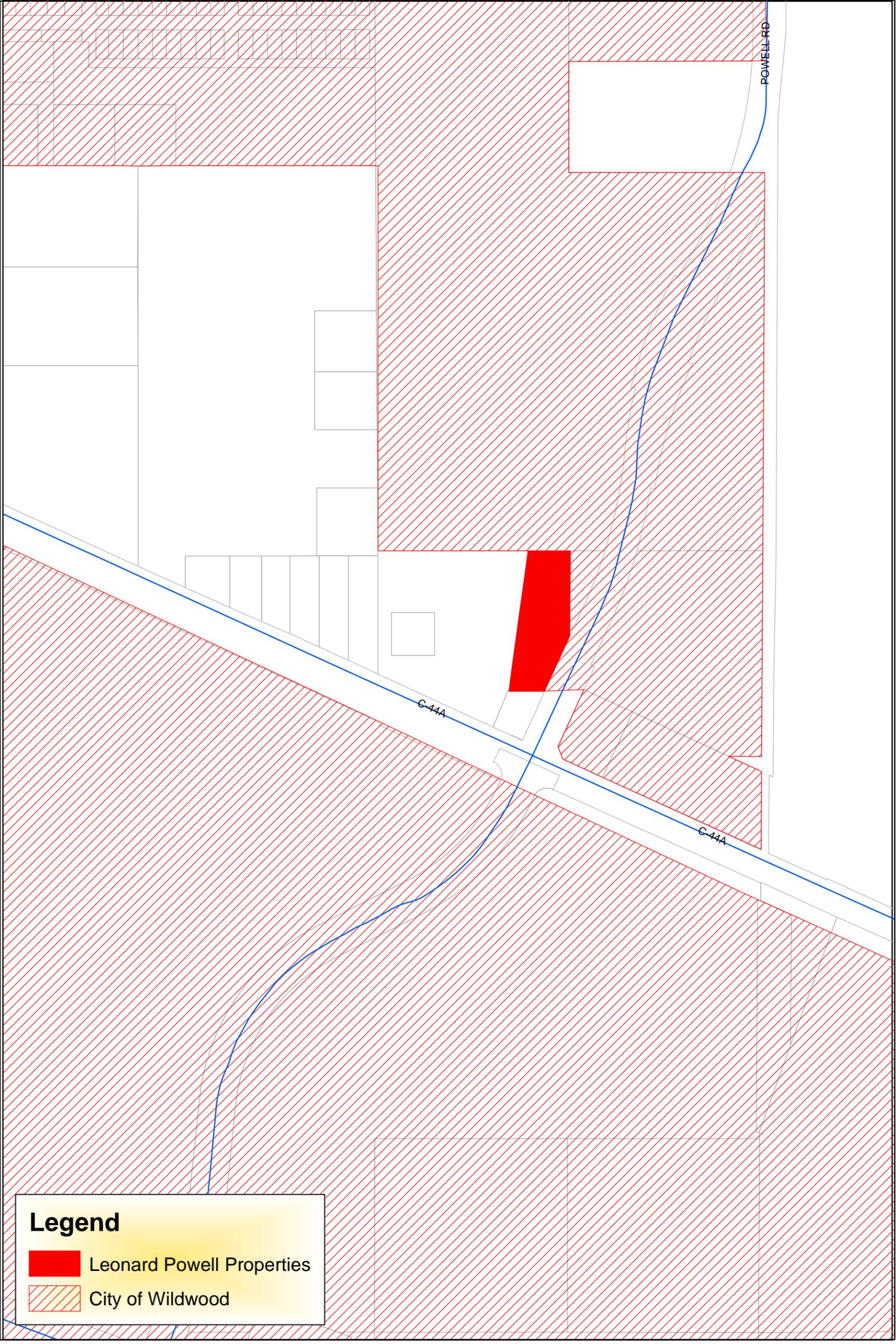
DATED: July 31, 2013



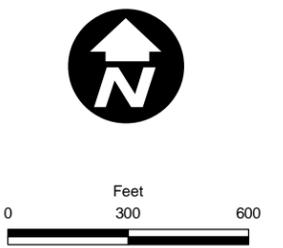
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Jason McHugh  
Development Services Coordinator/ City Planner

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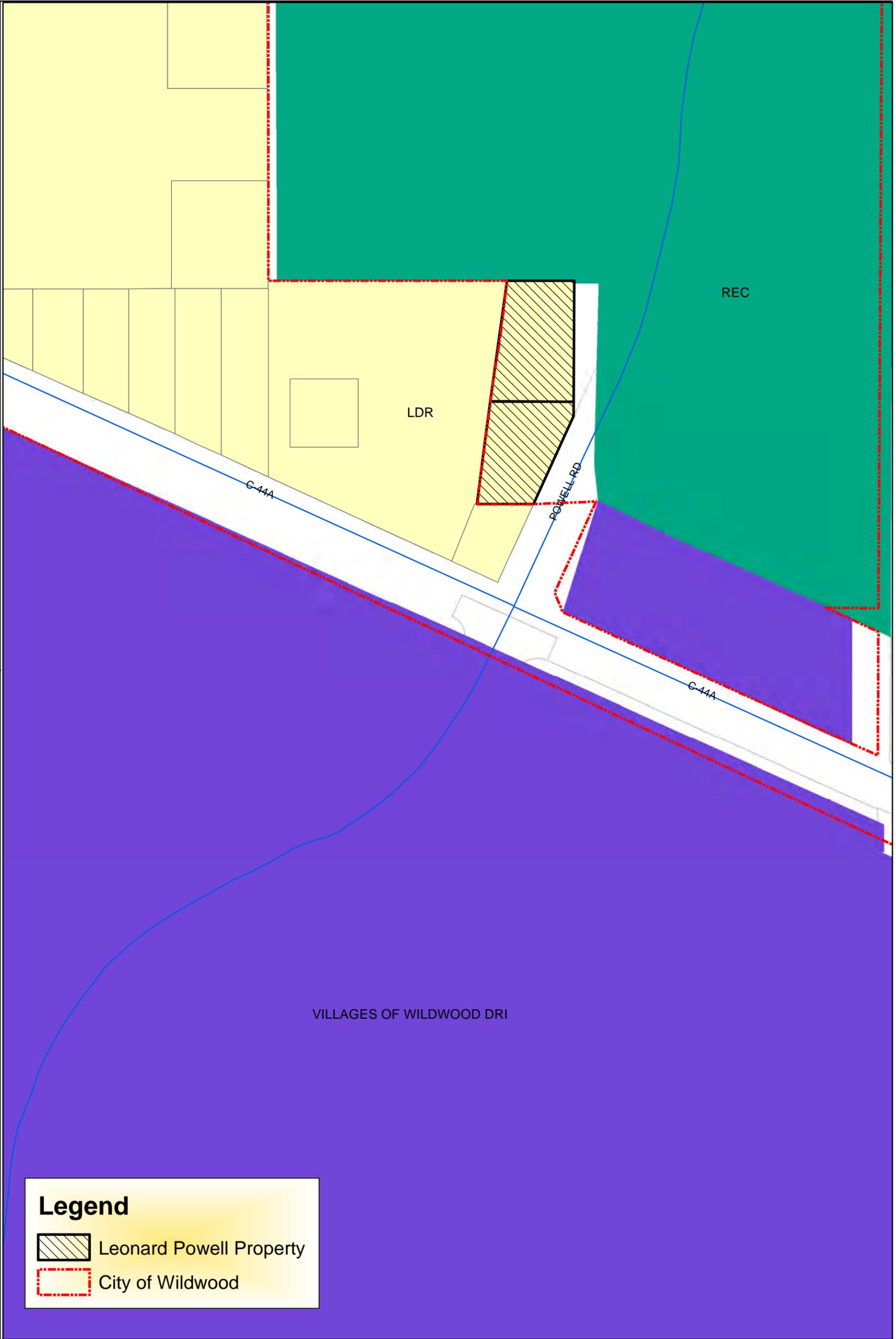


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<b>LEONARD POWELL PROPERTIES</b>	
<b>WILDWOOD, FLORIDA</b>	
July 2013	LOCATION MAP

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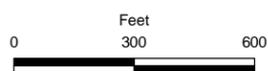


**Legend**

-  Leonard Powell Property
-  City of Wildwood



City of Wildwood  
 100 North Main Street  
 Wildwood, FL 34485  
 Phone: (352) 330-1330  
[www.wildwood-fl.gov](http://www.wildwood-fl.gov)



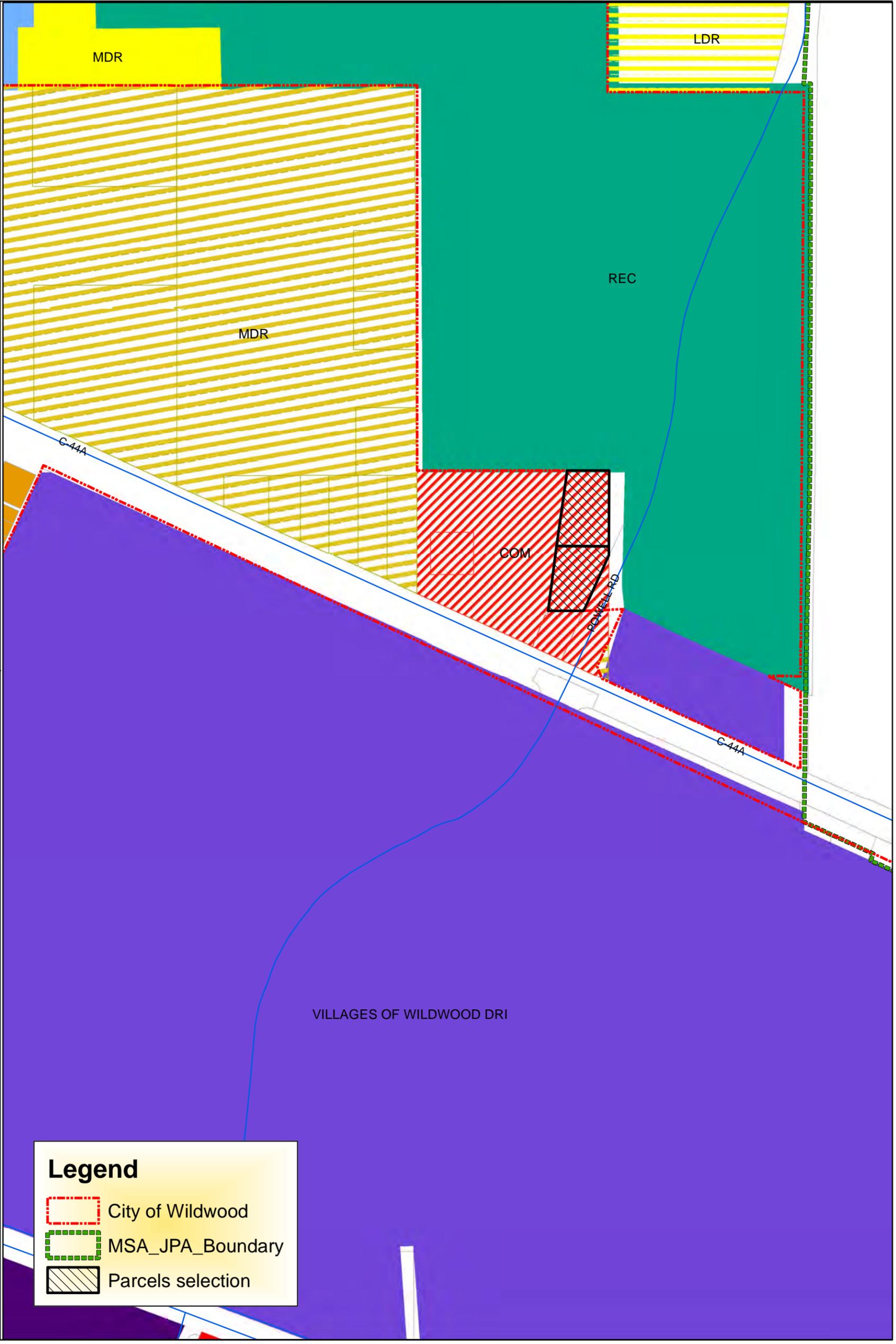
**LEONARD POWELL**

**WILDWOOD, FLORIDA**

July 2013

EXISTING FUTURE LAND USE

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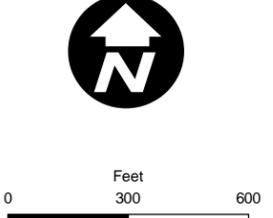


**Legend**

-  City of Wildwood
-  MSA\_JPA\_Boundary
-  Parcels selection



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<b>LEONARD POWELL</b>	
<b>WILDWOOD, FLORIDA</b>	
July 2013	JOINT PLANNING AREA

**ORDINANCE NO. O2013-31**

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

**Parcels G08=099 and G08=105**  
**1.85 +/- Acres**

LEGAL DESCRIPTION

Parcel # G08=099

Section 8, Township 19 South, Range 23 East, [Sumter County, Florida]: Commence at the Northeast corner of the West ½ of the North ½ of the Northeast ¼ of the Southeast ¼ of said Section 8 as a point of reference and the Point of Beginning of this description: run North 89°46'30" West 155.50 feet along the North line of the West ½ of the North ½ of the Northeast ¼ of the Southeast ¼; run South 07°55'49" West 254.13 feet; run South 89°46'30" East 190.26 feet to the East line of the West ½ of the North ½ of the Northeast ¼ of the Southeast ¼; run North 0°04'10" East 251.84 feet along the above said East line to the Point of Beginning.

Together with an easement for ingress and egress over and across a strip of land 20 feet wide lying Westerly of a line described as follows: Commence at the Southeast corner of the West ½ of the North ½ of the Northeast ¼ of the Southeast ¼ of Section 8, Township 19 South, Range 23 East, Sumter County, Florida for a Point of Reference: Thence run N. 89°48'42" W. 101.80 feet to the North Right-of-Way line of County Road 44A; thence N. 65°34'20" W. 183.20 feet to the Point of Beginning of the line; thence N. 21°36'32" E. 133.86 feet; thence N. 07°55'49" E. 254.74 feet to the Point of Termination.

Parcel # G08=105

Commence at the Northeast corner of the West half of the North half of the Northeast quarter of the Southeast quarter of Section 8, Township 19 South, Range 23 East, Sumter County, Florida as a point of reference, thence run South 0°04'10" West 251.84

feet along the East line of the West half of the North half of the Northeast quarter of the Southeast quarter to the Point of Beginning of this description (1) continue South 0°04'10" West 213.12 feet along the above said East line (2) then run North 89°48'40" West 219.51 feet; (3) thence run North 07°55'49" East 214.79 feet; (4) thence run South 89°46'30" East 190.26 feet back to the Point of Beginning to close. TOGETHER WITH an easement for ingress and egress over and across a strip of land 20 feet wide lying Westerly of a line described as follows: Commence at the Southeast corner of the West half of the North half of the Northeast quarter of the Southeast quarter of Section 8, Township 19 South, Range 23 East, Sumter County, Florida, for a point of reference; thence run North 89°48'40" West 101.80 feet to the Point of Beginning of the line; thence North 21°36'32" East 133.86 feet; thence North 07°55'49" East 254.74 feet to the Point of Termination, Sumter County, Florida.

This property is to be reclassified from County comprehensive plan category "Rural Residential" to City comprehensive plan category "Commercial."

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

**SECTION 1.** The proposed amendment has been found to be consistent with the Joint Planning Area Future Land Use Map between the City and Sumter County.

**SECTION 2.** 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 3.** All ordinances or parts of ordinances in conflict herewith, be, and the same are hereby repealed.

**SECTION 4.** 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 5.** This Ordinance shall take effect upon its final reading by the City Commission of the City of Wildwood.

**DONE AND ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by the City Commission of the City of Wildwood, Florida.

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

S E A L

\_\_\_\_\_  
Ed Wolf, Mayor

ATTEST: \_\_\_\_\_  
Joseph Jacobs, City Clerk

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Jerri A. Blair, City Attorney

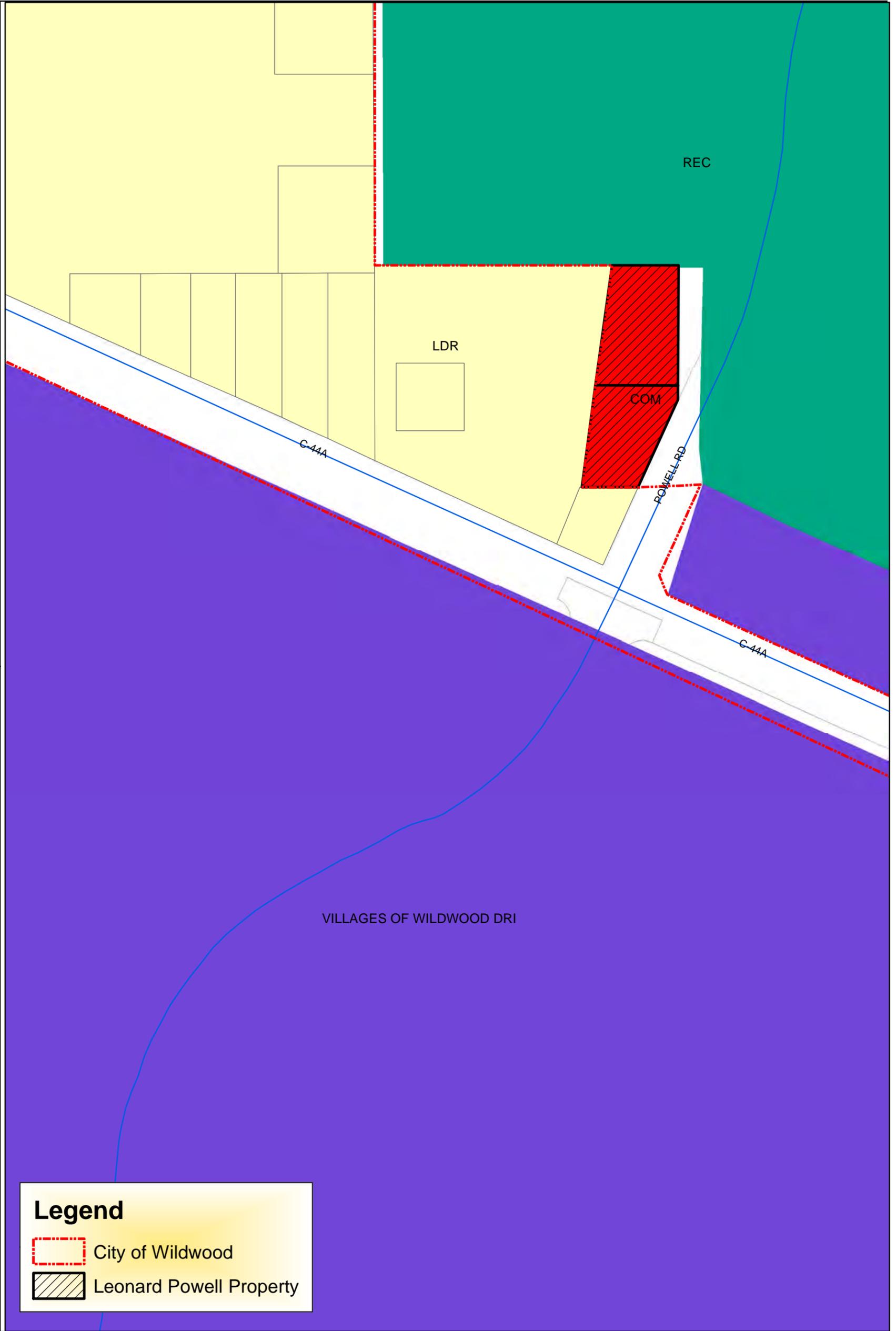
**Ordinance O2013-31**

**“Exhibit A”**

**Leonard Powell Properties, Inc**

**Future Land Use Map Designation**

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City of Wildwood  
 100 North Main Street  
 Wildwood, FL 34485  
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**LEONARD POWELL**

**WILDWOOD, FLORIDA**

July 2013

PROPOSED FUTURE LAND USE

**CITY OF WILDWOOD**  
**Planning and Zoning Board/Special Magistrate**  
**Acting as the Local Planning Agency**

**Case No:** CP 1307-02

**Parcel Number(s):** G08=003

**Property Location:** West side of Powell Road, south of Huey Street

**Owner:** Geneva M. Hampton, Donnie Ford, and Doris Ford

**Applicant:** Geneva M. Hampton, Donnie Ford, and Doris Ford

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The applicant seeks approval and a favorable recommendation from the Planning and Zoning Board/Special Magistrate acting as the Local Planning Agency for a Small Scale Comprehensive Plan Amendment from Sumter County "Rural Residential" to City of Wildwood "Public Facilities" for Parcel G08=003.

The applicant intends on utilizing the property as an Assisted Living Facility in the future.

Staff believes the proposed amendment should be granted based on the following criteria found in Section 1.7(D) of the Land Development Regulations:

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

The subject property has been annexed into the City, and the City must assign it a Future Land Use Map designation. The applicant intends on utilizing the property for an Assisted Living Facility, a residential-type use, and the amendment to "Public Facilities" is consistent with the character of the Powell Road corridor.

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

The proposed amendment is consistent with the goals, objectives and policies of the Comprehensive Plan. Specifically, the proposed amendment is consistent with the intent of the Comprehensive Plan in promoting development within the Joint Planning Area. The Joint Planning Area Future Land Use Map designates the subject property as "Low Density Residential." However, a designation of "Public Facilities" is consistent with the purpose and intent of the Joint Planning Area. The utilization of the site as an Assisted Living Facility is residential in nature and therefore not inconsistent with the Comprehensive Plan. The Joint Planning Area requires coordination between the City and the County on land use issues. The City has conferred with Sumter County on the proposed designation and the County does not object to the designation.

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

The amendment is not considered urban sprawl, and it does not exemplify an energy inefficient land use pattern. The proposed amendment is considered infill development as the property is located in an area deemed appropriate for development by both the City and the County.

(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 subject property does not contain any wetlands or areas within the 100-Year Flood Plain. The property subject to the amendment is located in an area suitable for development. However, prior to site plan approval the property is required to submit an environmental assessment to determine if protected species are located on the property.

(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.

Currently, the City has potable water, and sanitary sewer capacity to accommodate the proposed development, and Powell Road can adequately serve the increased traffic. This project will not impact school facilities. However, prior to site plan approval the project will be required to correct any deficiencies to public facilities and services should any be present at the time.

Therefore, Staff **suggests approval and a favorable recommendation of Ordinance #02013-35** (attached), to be forwarded to the City Commission for further action.

The Planning and Zoning Board/Special Magistrate acting as the Local Planning Agency has a duty to make recommendations to the City Commission on all comprehensive plan amendments pursuant to the Section 1.7(D) of the Land Development Regulations.

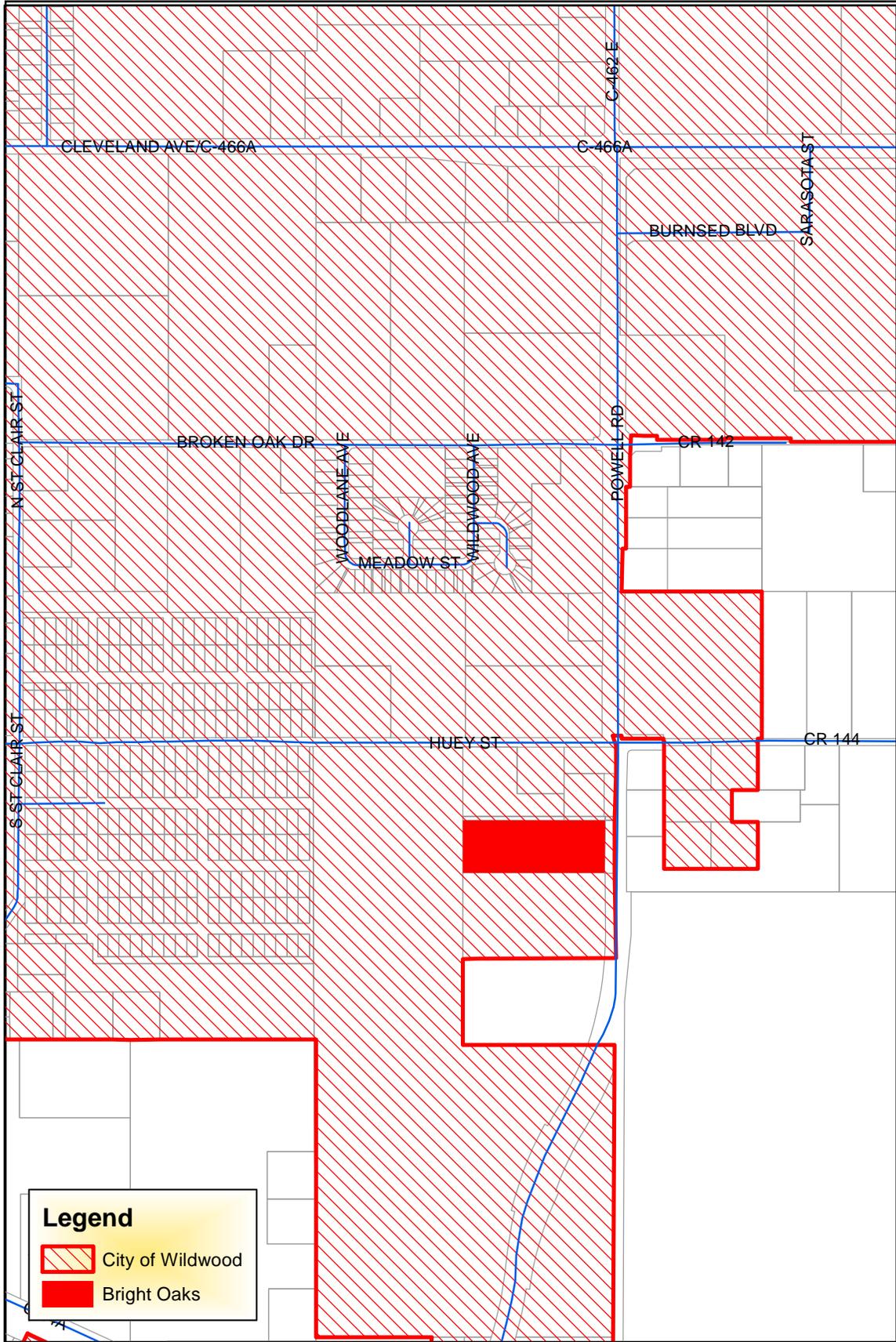
This office has duly noticed this meeting as prescribed by City of Wildwood Code for PUBLIC NOTICES in the City of Wildwood. Notice of Hearing has been sent via Certified Mail to all property owners adjoining the property in question. Notice has been posted on the Notice Board at City Hall and on the bulletin board at the Wildwood Post Office. A notice of this meeting was published in a newspaper of general circulation (Daily Commercial) on July 26, 2013.

DATED: July 31, 2013



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Jason McHugh  
Development Services Coordinator/ City Planner



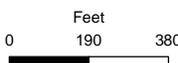
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**Legend**

-  City of Wildwood
-  Bright Oaks



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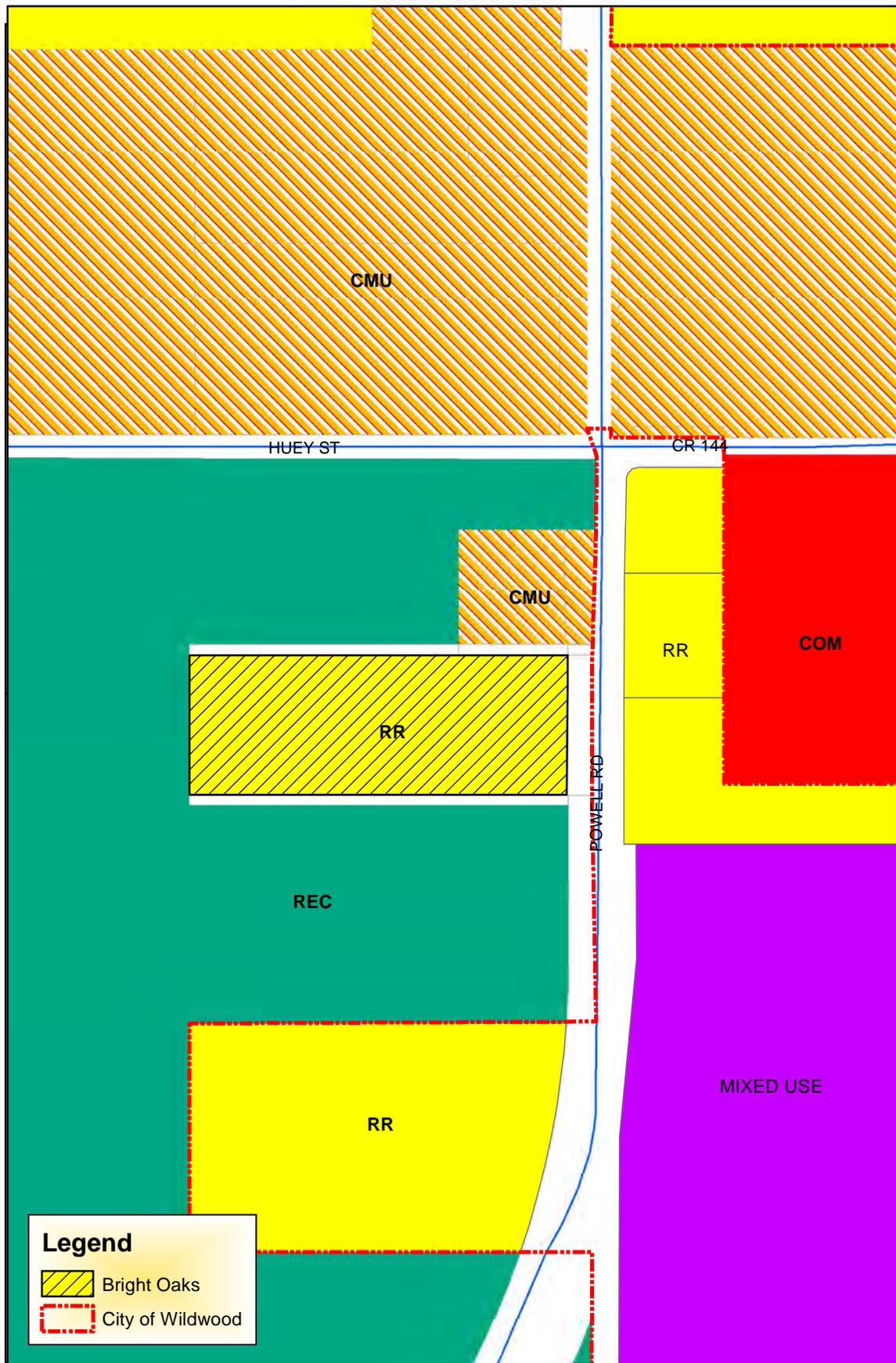
**BRIGHT OAKS**

**WILDWOOD, FLORIDA**

June 2013

Location Map

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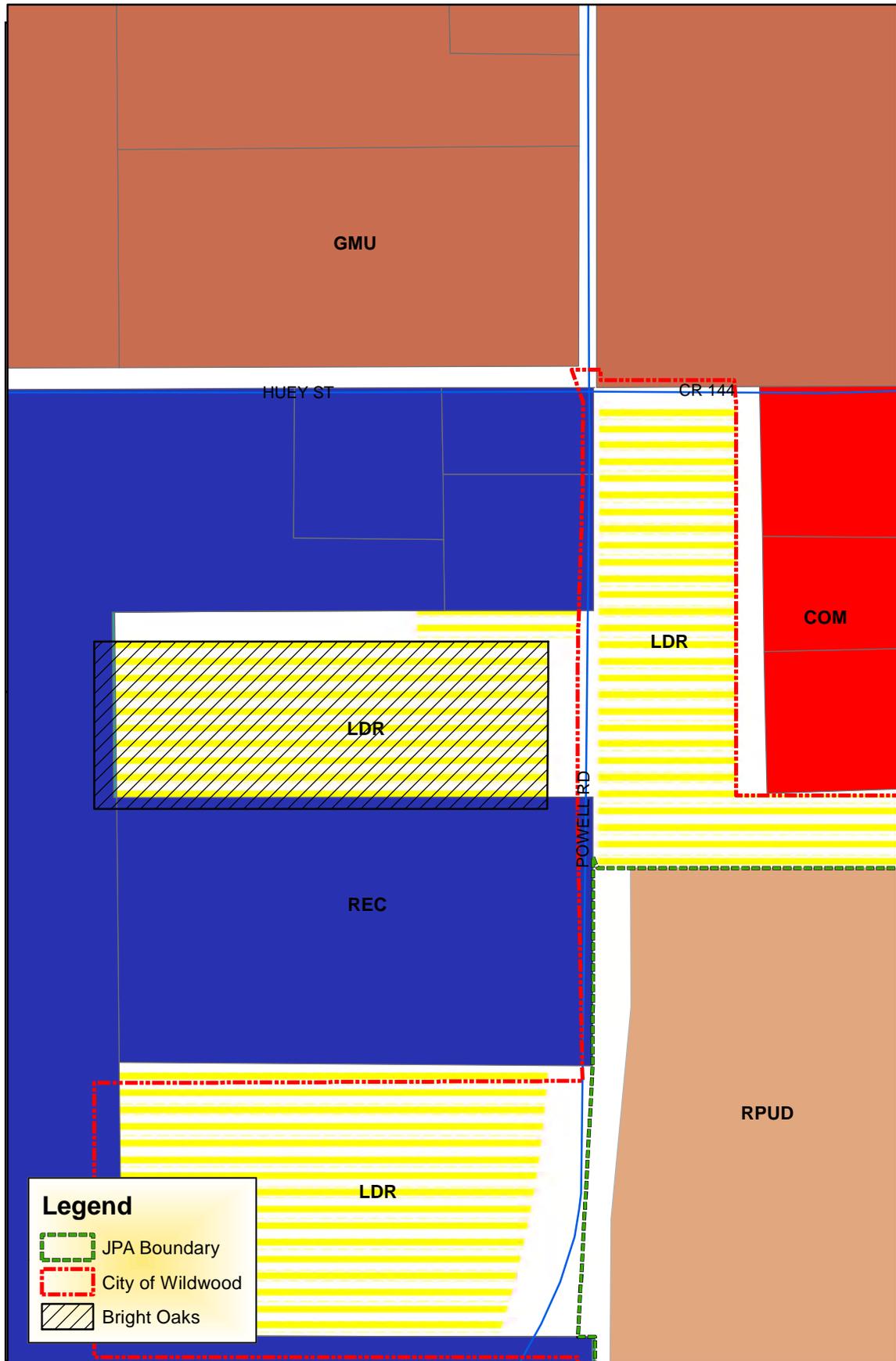
**BRIGHT OAKS**

**WILDWOOD, FLORIDA**

July 2013

EXISTING FUTURE LAND USE

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**BRIGHT OAKS**

**WILDWOOD, FLORIDA**

July 2013

JOINT PLANNING AREA



**VIA HAND DELIVERY**

July 5, 2013

Mr. Paul Ketz  
CITY OF WILDWOOD  
100 N. Main Street  
Wildwood, FL 34785

RE: **BRIGHT OAKS - LAND USE & ZONING CHANGE JUSTIFICATION**

Dear Mr. Ketz:

The justification for land use and zoning change:

The subject 3.5 acre site is currently designated as Rural Residential which under Policy 1.1.6 of the Future Land Use Element would allow up to 1 residential unit per acre. The requested change to Public Facility would allow for the proposed use of Adult Congregate Living Facility (ACLF) under Policy 1.1.21 of the Future Land Use Element. The proposed land use change is consistent with the City of Wildwood comprehensive plan as outlined below:

- The City has adopted new Land Development Regulations (LDRs) in compliance with the comprehensive plan which states all city requirements, procedures, and approval process will ensure requirements that projects will comply with the adopted plan.
- Mandatory studies for environmental, traffic, engineering, and geotechnical engineering to ensure compliance with State, Federal, Regional, MPO, and local regulations including the comprehensive plan. Drainage compliance will meet Policy 1.7.2 of the Public Facilities Element and meet permitting.
- The future land use and zoning change is still maintaining the same character as the surrounding parcels.
- The future land use and zoning change will have minimal to no impact on surrounding transportation, recreation, and school facilities. The Future Land Use Element addresses these items in Objective 1.16 and supporting Policy 1.16.4 and this parcel already has access to existing utility services. The proposed change will be in compliance with Transportation Element Policy 1.6.4 and Policy 1.8.4. The proposed change will also be in compliance with Public Facilities Element Policies 1.1.1, 1.3.5, 1.3.6, 1.5.3, 1.5.4, and 1.5.5. There are existing utility services available and the proposed change will have minimal impact.

Mr. Paul Ketz  
July 5, 2013  
Page 2

- Conservation issues will be addressed via permitting with the Southwest Florida Water Management District. Other requirements within the future land use element and the conservation element will be adhered to; policies 1.14.1, 1.14.2, 1.14.3, 1.14.7, and 1.14.8. Compliance with all conservation objectives and supporting policies Wetlands, Water Bodies, and Natural Water Bodies will be adhered to.
- This proposed amendment could be considered a de minimis amendment due to maintaining the same uses as the surrounding parcels and minimal impact.

Should you have any questions regarding this matter, please feel free to contact our office.

Sincerely,  
FARNER, BARLEY & ASSOCIATES, INC.



Jeffrey A. Head, P.E.

JAH/tr

**ORDINANCE NO. O2013-35**

AN ORDINANCE OF THE CITY OF WILDWOOD FLORIDA;  
PROPOSING A SMALL SCALE LAND USE AMENDMENT  
TO THE ADOPTED LOCAL COMPREHENSIVE PLAN AND  
FUTURE LAND USE MAP IN ACCORDANCE WITH THE  
COMMUNITY PLANNING ACT OF 2011, AS AMENDED;  
PROVIDING FOR CODIFICATION; PROVIDING FOR  
CONFLICT; 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 # G08=003**  
**3.5 +/- Acres**

**Legal Description**

BEGINNING ONE HUNDRED AND FIVE AND ONE THIRD (105 1/3) YARDS SOUTH OF THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, AND RUNNING THENCE WEST TWO HUNDRED AND THIRTY (230) YARDS; THENCE SOUTH EIGHTY-FOUR (84) YARDS; THENCE EAST TWO HUNDRED AND THIRTY (230) YARDS; THENCE NORTH EIGHT-FOUR (84) YARDS BACK TO THE POINT OF BEGINNING, LESS ROAD RIGHT OF WAY.

ALSO LESS AND EXCEPT THAT PORTION CONVEYED TO SUMTER COUNTY BY RIGHT-OF-WAY DEED RECORDED IN O.R. BOOK 2105, PAGE 553, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SECTION 8; THENCE SOUTH 00°27'24" WEST ALONG THE EAST LINE OF SAID NORTHEAST 1/4 OF SECTION 8, A DISTANCE OF 316.03 FEET TO THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID NORTHEAST 1/4 OF SECTION 8; THENCE NORTH 89°33'36" WEST ALONG SAID SOUTH LINE FOR 4.49 FEET TO THE WESTERLY RIGHT OF WAY PER

SUMTER COUNTY MAINTENANCE MAP FOR COUNTY ROAD NO. 139 AND THE POINT OF BEGINNING; THENCE SOUTH 01°08'59" WEST ALONG SAID WESTERLY RIGHT OF WAY FOR 252.00 FEET TO THE SOUTH LINE OF THE NORTH 568.00 FEET OF SAID NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8; THENCE NORTH 89°35'13" WEST ALONG SAID SOUTH LINE FOR 42.46 FEET TO A LINE 50.00 FEET WEST OF, WHEN MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH, THE EAST LINE OF SAID NORTHEAST 1/4 OF SECTION 8; THENCE NORTH 00°27'24" EAST ALONG SAID PARALLEL LINE FOR 252.00 FEET TO THE AFORESAID SOUTH LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8; THENCE SOUTH 89°33'36" EAST ALONG SAID SOUTH LINE FOR 45.51 FEET TO THE POINT OF BEGINNING.

CONTAINS THEREIN 3.5 ACRES, MORE OR LESS.

This property is to be reclassified from County comprehensive plan category "Rural Residential" to City comprehensive plan category "Public Facilities."

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

**SECTION 1.** The proposed amendment has been found to be consistent with the purpose and intent of the Joint Planning Area between the City and Sumter County.

**SECTION 2.** 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 3.** All ordinances or parts of ordinances in conflict herewith, be, and the same are hereby repealed.

**SECTION 4.** 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 5.** This Ordinance shall take effect upon its final reading by the City Commission of the City of Wildwood.

**DONE AND ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by the City Commission of the City of Wildwood, Florida.

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

S E A L

\_\_\_\_\_  
Ed Wolf, Mayor

ATTEST: \_\_\_\_\_  
Joseph Jacobs, City Clerk

First Reading: \_\_\_\_\_

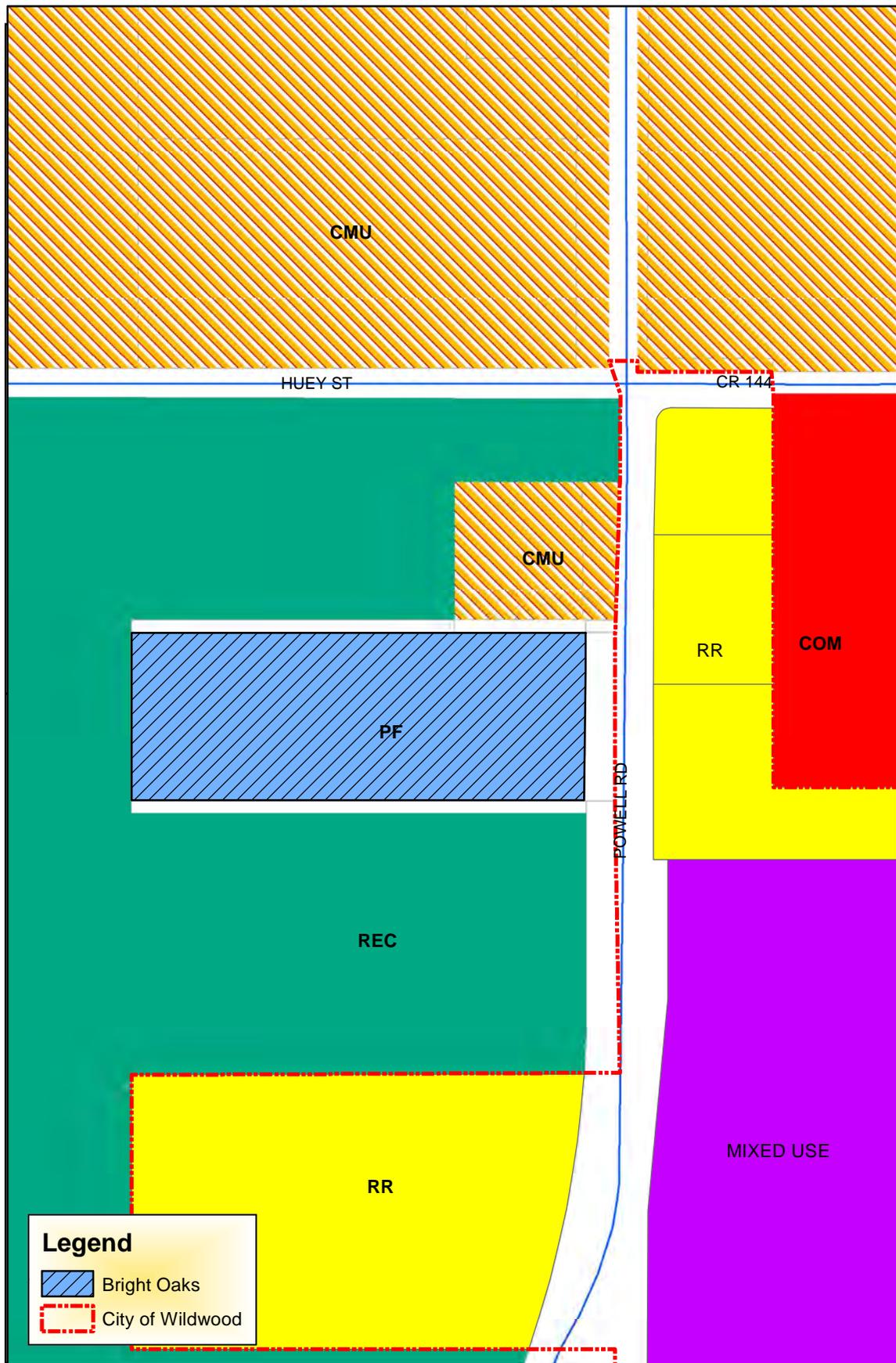
Second Reading: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Jerri A. Blair, City Attorney

**Ordinance O2013-35**  
**“Exhibit A”**  
**Bright Oaks**  
**Future Land Use Map Designation**

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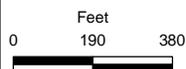


**Legend**

- Bright Oaks
- City of Wildwood



City of Wildwood  
 100 North Main Street  
 Wildwood, FL 34485  
 Phone: (352) 330-1330  
 www.wildwood-fl.gov



**BRIGHT OAKS**

**WILDWOOD, FLORIDA**

July 2013

PROPOSED FUTURE LAND USE

**CITY OF WILDWOOD**  
**Planning and Zoning Board/Special Magistrate**  
**Acting as the Local Planning Agency**

**Case No:** CP 1307-03  
**Parcel Number(s):** G04=050  
**Property Location:** East of Powell Road; South of the County Government Complex  
**Owner:** Wildwood Retirement Residence, LLC  
**Applicant:** Mark Lowen - Lenity Architecture

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The applicant seeks approval and a favorable recommendation from the Planning and Zoning Board/Special Magistrate acting as the Local Planning Agency for a Small Scale Comprehensive Plan Amendment from Sumter County "Public, Institutional" to City of Wildwood "Public Facilities" for parcel G04=050.

The applicant intends on developing the property as a 125 suite Independent Living/Congregate Care facility.

Staff believes the proposed amendment should be granted based on the following criteria found in Section 1.7(D) of the Land Development Regulations:

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

This amendment will not increase the permitted development that is currently allowed on the subject property. The property was annexed in 2011 and has retained its Sumter County Future Land Use Map designation since that time. This amendment simply reassigns the property a City Future Land Use Map Designation that is comparable to its existing County designation.

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

The proposed amendment is consistent with all applicable goals, objectives and policies of the Comprehensive Plan. The Comprehensive Plan encourages a diversity of housing options to meet the needs of the population. The applicant intends on developing the property as a 125 suite Independent Living/Congregate Care facility. The facility will provide a vital component in meeting the growing demand for senior living in Wildwood and greater Sumter County.

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

The amendment is not considered urban sprawl, and it does not exemplify an energy inefficient land use pattern. The proposed amendment is considered infill development as the property is located in an area deemed appropriate for development by both the City and the County.

(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 subject property does not contain any wetlands or areas within the 100-Year Flood Plain. The property subject to the amendment is located in an area suitable for development. However, prior to site plan approval the property is required to submit an environmental assessment to determine if protected species are located on the property.

(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.

The amendment does not increase the allowable development on the property. As such, the amendment will not adversely affect any public facilities or services.

Therefore, Staff **suggests approval and a favorable recommendation of Ordinance #02013-33** (attached), to be forwarded to the City Commission for further action.

The Planning and Zoning Board/Special Magistrate acting as the Local Planning Agency has a duty to make recommendations to the City Commission on all comprehensive plan amendments pursuant to the Section 1.7(D) of the Land Development Regulations.

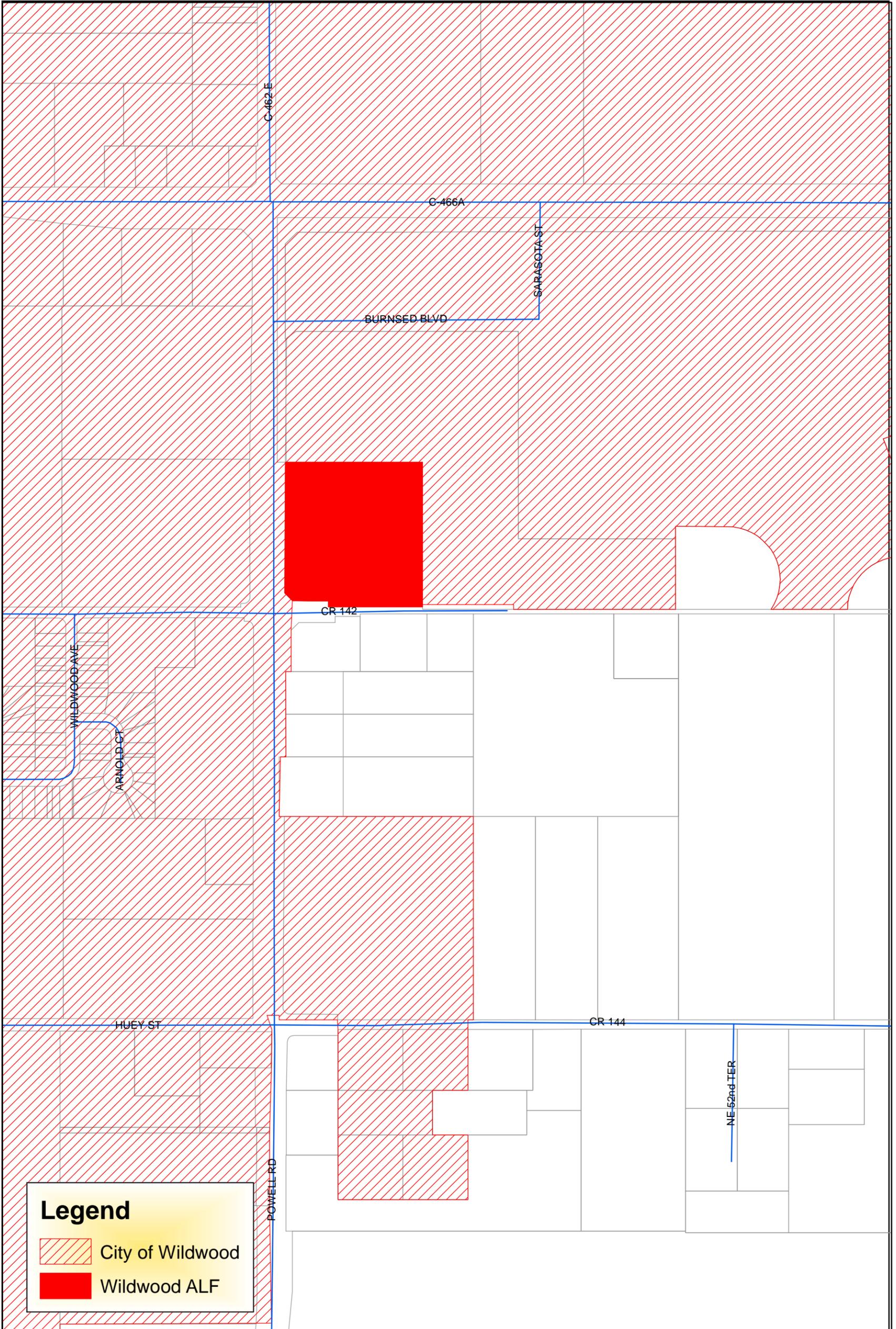
This office has duly noticed this meeting as prescribed by City of Wildwood Code for PUBLIC NOTICES in the City of Wildwood. Notice of Hearing has been sent via Certified Mail to all property owners adjoining the property in question. Notice has been posted on the Notice Board at City Hall and on the bulletin board at the Wildwood Post Office. A notice of this meeting was published in a newspaper of general circulation (Daily Commercial) on July 26, 2013.

DATED: July 31, 2013



---

Jason McHugh  
Development Services Coordinator/ City Planner



**Legend**

-  City of Wildwood
-  Wildwood ALF



City of Wildwood  
 100 North Main Street  
 Wildwood, FL 34485  
 Phone: (352) 330-1330  
[www.wildwood-fl.gov](http://www.wildwood-fl.gov)

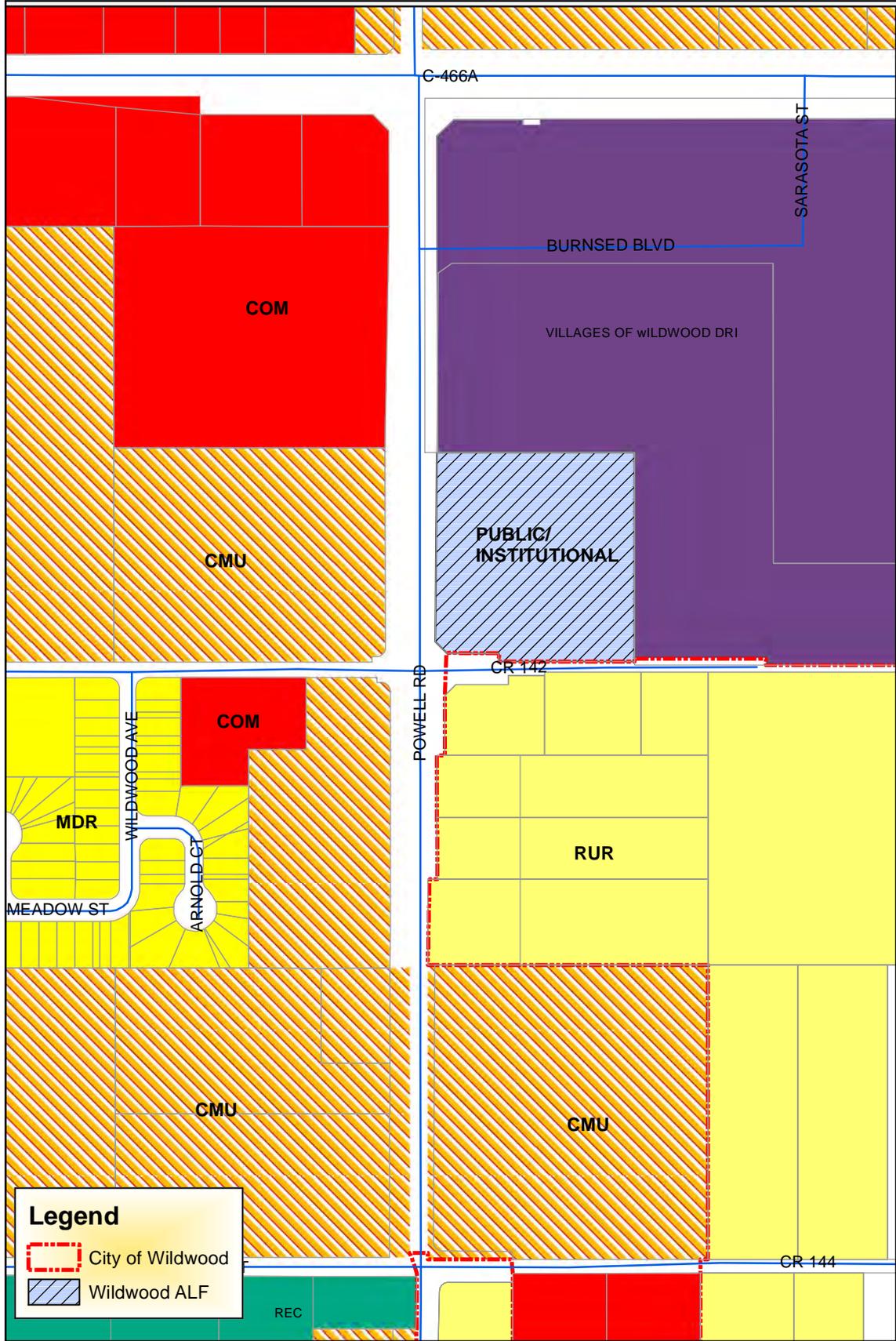


**WILDWOOD ALF**

**WILDWOOD, FLORIDA**

July 2013

LOCATION MAP



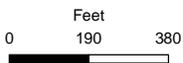
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**Legend**

-  City of Wildwood
-  Wildwood ALF



City of Wildwood  
 100 North Main Street  
 Wildwood, FL 34485  
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 www.wildwood-fl.gov



<b>WILDWOOD ALF</b>	
<b>WILDWOOD, FLORIDA</b>	
July 2013	EXISTING FUTURE LAND USE

# Wildwood Retirement Residence – Wildwood Florida Rezone and Comp Plan Amendment - Justification Statement

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## I. INTRODUCTION – OXFORD II RETIREMENT RESIDENCE

### Site Description

The subject parcel is located on the east side of Powell Road (5120 County Road 142)

Surrounding Uses:

- North and East Public Facilities (Sumter County)
- South of the site Single Family Residential – outside of city limits
- West of the site (opposite side of Powell Road) – Single Family Residential

Site:

Current Zoning: PIE (Sumter County prior to annexation)  
Current Use: Unoccupied Single Family Residential  
ACCOUNT #: GO4=050

### Acreage

The parcel is 4.65 acres in size

### Proposed Development

Hawthorn Retirement Group LLC proposes to develop a 135 suite Independent Living / Congregate Care facility.

### INTENDED USE - Congregate Care / Retirement Residence

The Congregate Care concept is designed for residents with an average age of 82 who are still ambulatory. The facility does not offer medical or nursing care. This development is privately funded and operated and will not receive government subsidies.

Each private suite offers the advantages of independent living while the services included provide support, security and friendship. The private suites in the main building include studio, one and two bedroom versions. Suites do not contain kitchens, therefore they are not considered dwelling units, all resident meals are served in the main dining room.

Services for residents include three prepared meals daily, housekeeping, laundering, private van transportation, various social and physical activities. Management / Staff live on the premises and are available to residents 24 hours a day. The monthly rent payment covers the private room, all meals, services and utilities, no “buy in fee is required for residents.”

# Wildwood Retirement Residence – Wildwood Florida

## Rezone and Comp Plan Amendment - Justification Statement

---

Our typical resident is a single woman in her late 70's or 80's who lives within 10 miles of the site. Approximately 10% of the rooms will be rented by couples making a total building population of approximately 128...

Fewer than 20% of the residents will be driving their own cars. Because most of our residents prefer not to drive, we provide private van transportation for their use. Van service is included in the monthly rent, available 24/7 and offers residents independence and mobility while providing the families peace of mind.

This type of use does not create the problems typically associated with higher density developments, such as traffic, noise or increased demand on public services.

### **Building Design**

The building is designed to be residential in nature. Neighborhood compatibility is achieved in the site planning and building design. The wing ends and the building center steps down from three to two to one story. This arrangement provides for privacy and a gentle change of scale. Care is taken to minimize the impact to the existing community as well as to complement the surrounding local architecture. Exterior siding materials will include horizontal siding and brick. The roof will be architectural composition shingle.

The retirement residence building features common areas for a variety of uses; a dining room and kitchen for shared meals, multi-purpose room, *beauty shop*, crafts room, TV room, media/computer room, movie theater, lounges and an exercise room. The circulation is organized around a central atrium. The common areas are the “social hub” and an essential part of the residents’ lifestyle.

Residents will be able to contact the manager with both emergency pull cords and voice communications in each suite.

Proposed vehicle access is provided from a single access point on Yellow Jacket Lane. Since our residents prefer not to drive and van service is available at all times, the traffic impact to Yellow Jacket Lane will be minimal. Peak hour traffic impact is very low as our resident’s meal time and activities take place on site during those hours.

# Wildwood Retirement Residence – Wildwood Florida Rezone and Comp Plan Amendment - Justification Statement

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## II ZONING & LAND USE

### Comprehensive Plan and Zone Change

This site requires a Comprehensive Plan amendment to PF (Public Facilities) and a Zone Change to IN (Institutional) in order to accommodate the development of the above revered Congregate Care Facility.

## III. DESIGN STANDARDS

### Access

Three points of access are proposed:

2 drive access points on County Road 142

1 drive access onto the access drive of the county facility to the north.

### Parking

Propose 86 parking spaces:

70 open spaces

12 covered spaces

4 accessible spaces

This creates a parking space to suite ratio of 0.63 spaces per suite. (0.57 per bedroom)

City Standard is 1 space per 3 beds and .5 spaces per employee = 54 spaces (+/-)

Hawthorn Retirement Group has developed over 300 retirement residences in North America. Experience from this extensive portfolio has shown that 0.6 parking space per suite ratio is an ideal parking space standard for our residents, staff and visitors. In part the reason for this parking ration is because most of our residents do not drive, (less than 20%) therefore we provide private van transportation for their use. The van is available to take the residents to places they need to visit, such as church, banks, medical offices, shopping areas, etc.

Additionally this parking ratio allows us to increase landscaping and open space areas on the site to create a better residential environment for our residents and adjacent property owners.

## IV. Overview and Summary

Existing Zoning:	PIE (prior to annexation to the City of Wildwood
Proposed Zoning:	Institutional with the allowed use of Congregate Care Facility
Land Area:	4.65 acres (202,559 sq ft)

# Wildwood Retirement Residence – Wildwood Florida Rezone and Comp Plan Amendment - Justification Statement

---

Existing Use:	Unoccupied Single Family Residential
Proposed Use:	135-suite Congregate Care Facility
Proposed Parking:	86 total spaces: 70 open spaces 12 covered spaces 4 handicap accessible

Ratio of 0.63 space per suite / 0.57 spaces per bed

## V. Justification

This proposed development will add 135 retirement housing suites to the area. This allows for independent senior living while providing the security and benefits of a retirement facility that provides amenities beyond conventional private living.

This facility provides a vital component in meeting the growing demand for senior living in Wildwood and greater Sumter County. The addition of this retirement residence complements the surrounding area as well as the senior housing element in Wildwood providing one facet of the ever expanding senior housing market.

### Comprehensive Plan

This use coordinates well with the Comprehensive Plan and its surrounding land uses.

This proposal is consistent with the current Comprehensive Plan and the uses designated for this area.

### Rezoning

Rezoning this site to INS (Institutional) is a consistent carry over from the zoning designation that was assigned to this site by Sumter County.

Additionally, this use provides an attractive transitional use between the more intense Sumter County facilities to the North and East of the site with the less intense residential uses to the South and West of the site.

## VI. CONCLUSION

In conclusion, we feel that this site is ideally suited for our use and would be a significant addition to the community of Wildwood.

Thank you for your consideration.

**ORDINANCE NO. O2013-33**

AN ORDINANCE OF THE CITY OF WILDWOOD FLORIDA; PROPOSING A SMALL SCALE LAND USE AMENDMENT TO THE ADOPTED LOCAL COMPREHENSIVE PLAN AND FUTURE LAND USE MAP IN ACCORDANCE WITH THE COMMUNITY PLANNING ACT OF 2011, AS AMENDED; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; 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 G04=050**  
**Wildwood Retirement Residence, LLC**

LEGAL DESCRIPTION

THE NORTH 466.70 FEET OF THE SOUTH 481.70 FEET OF THE WEST 490.70 FEET OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, LESS ROAD RIGHT OF WAY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 4; THENCE ALONG THE WEST BOUNDARY OF SAID SECTION, S.00°22'17"W., 50.00 FEET; THENCE DEPARTING SAID WEST BOUNDARY, S.89°30'00"E., 24.00 FEET TO THE EAST BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 53, PAGE 414 OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG THE EAST BOUNDARY OF SAID LANDS, S.00°22'17"W., 794.14 FEET TO THE NORTH BOUNDARY OF THE SOUTH 481.70 FEET OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF AFORESAID SECTION 4; THENCE DEPARTING SAID EAST BOUNDARY, ALONG SAID NORTH BOUNDARY, S.89°32'24"E., 26.00 FEET TO THE NORTHEASTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2186, PAGE 621 OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTH BOUNDARY, S.89°32'23"E., 440.70 FEET TO THE EAST BOUNDARY OF THE WEST 490.70 FEET OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF AFORESAID SECTION 4; THENCE DEPARTING SAID NORTH BOUNDARY, ALONG SAID EAST BOUNDARY, S.00°22'17"W., 466.76 FEET TO THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 142 (RIGHT OF WAY WIDTH VARIES), SAID POINT BEING 15.00 FEET NORTH MEASURED AT RIGHT ANGLES TO THE SOUTH BOUNDARY OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 4; THENCE DEPARTING SAID EAST BOUNDARY, ALONG SAID NORTH RIGHT OF WAY LINE, N.89°31'42"W., 299.36 FEET TO THE SOUTHEAST CORNER OF

AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2186, PAGE 621; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE, ALONG THE EASTERLY BOUNDARY OF SAID LANDS, N.00°27'36"E., 19.82 FEET TO THE NORTHERLY BOUNDARY OF SAID LANDS; THENCE DEPARTING THE EASTERLY BOUNDARY OF SAID LANDS, ALONG THE NORTHERLY BOUNDARY OF SAID LANDS, N.89°28'47"W., 116.37 FEET; THENCE CONTINUE ALONG THE NORTHERLY BOUNDARY OF SAID LANDS, N.44°33'15"W., 35.40 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD 139 (HAVING A 100 FOOT RIGHT OF WAY); THENCE DEPARTING THE NORTHERLY BOUNDARY OF SAID LANDS, ALONG SAID EAST RIGHT OF WAY LINE, N.00°22'17"E., 421.73 FEET TO THE POINT OF BEGINNING. SAID LANDS CONTAINING 4.65 ACRES, MORE OR LESS.

This property is to be reclassified from County comprehensive plan category "Public, Institutional" to City comprehensive plan category "Public Facilities."

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED**, by the City Commission 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 upon its final reading by the City Commission of the City of Wildwood.

**DONE AND ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by the City Commission of the City of Wildwood, Florida.

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

S E A L

\_\_\_\_\_  
Ed Wolf, Mayor

ATTEST: \_\_\_\_\_  
Joseph Jacobs, City Clerk

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Jerri A. Blair, City Attorney

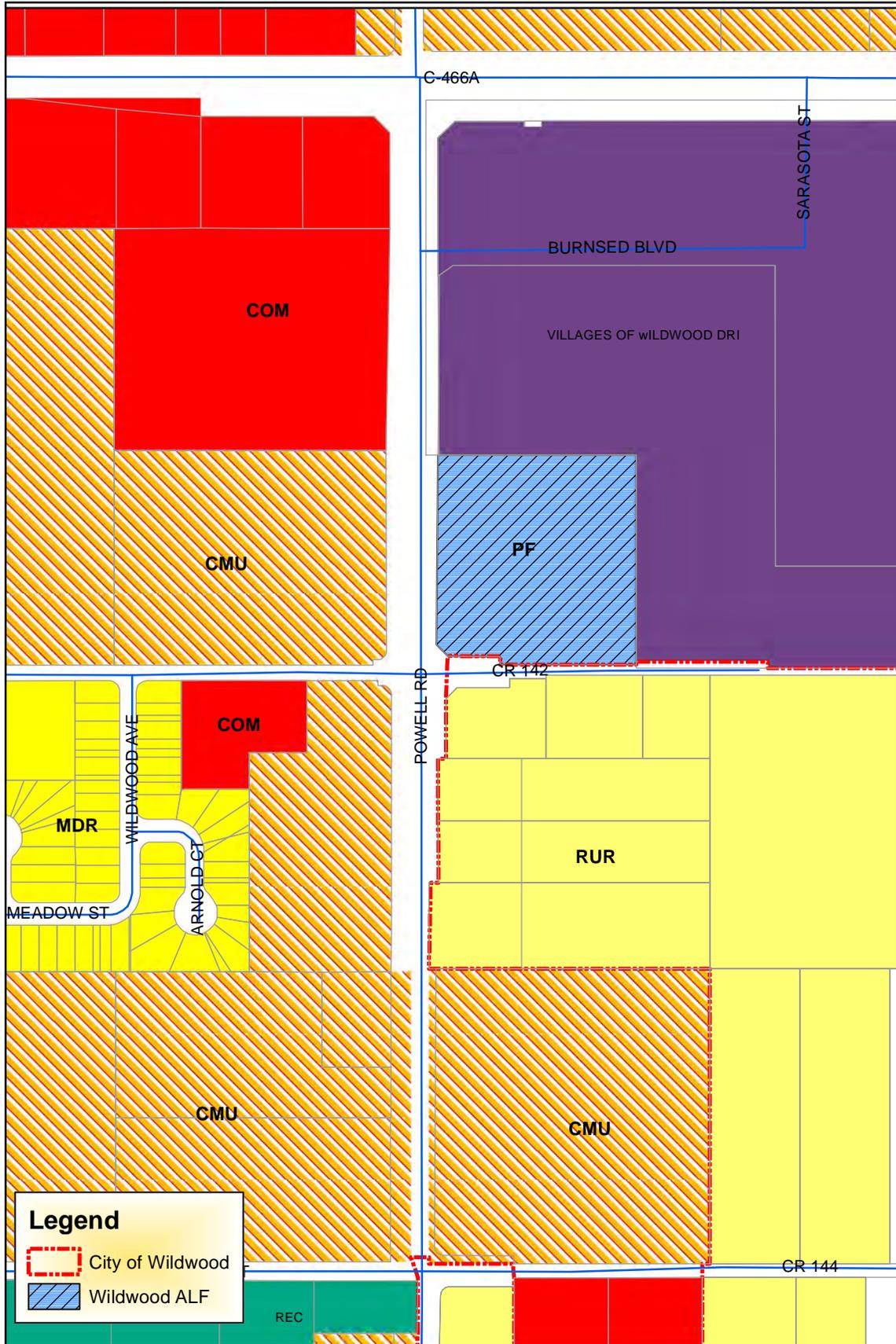
**Ordinance O2013-33**

**“Exhibit A”**

**Wildwood Retirement Residence (Mills Property)**

**Proposed Future Land Use Map**

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**Legend**

- City of Wildwood
- Wildwood ALF



City of Wildwood  
 100 North Main Street  
 Wildwood, FL 34485  
 Phone: (352) 330-1330  
 www.wildwood-fl.gov



<b>WILDWOOD ALF</b>	
<b>WILDWOOD, FLORIDA</b>	
July 2013	PROPOSED FUTURE LAND USE

**City of Wildwood  
Planning and Zoning Board/Special Magistrate  
June 27, 2013**

The meeting of the Planning and Zoning Board/Special Magistrate for the City of Wildwood convened on Tuesday, June 27, 2013, in the Commission Chamber of City Hall, 100 North Main Street, Wildwood, Florida.

City Representatives Present: Melanie Peavy, Development Services Director (DSD), Terri O'Neil, GIS Technician, and Gene Losito, City Engineer (Kimley-Horn and Associates).

The hearing was called to order at 3:05 p.m. by Special Magistrate Archie O. Lowry, Jr.

The minutes from the June 4<sup>th</sup>, 2013 regular Planning and Zoning Board were approved and signed.

**Melanie Peavy and Gene Losito were sworn in at this time.**

**Old Business:**

NONE

**New Business:**

**RZ 1305-01 MKK Investments (Parcel D17=054)**

Rezoning approval from County CL (Commercial) to City C-3 (General Commercial – Highway)

**Melanie Peavy:** Read excerpts from the staff report into the record to present the case before the Planning and Zoning Board. Staff recommends approval of the item.

The Special Magistrate asked a few clarifying questions, which Ms. Peavy addressed.

**Special Magistrate:** Does anyone from the audience have any comments on this matter?

No one from the public stepped forward at this time.

**Special Magistrate:** Any other comments or questions on this case? Hearing none, based upon the testimony and information received in this case and the review of subsection 3.3(4) of the LDRs and applicable regulations, I recommend approval of ordinance O2013-23 to the City Commission.

**SP 1305-01 Hughes Brothers Construction Office  
(A portion of parcel G07=133, now G07=274)**

Site Plan approval for a 9,600 sq. ft. construction office and shop with associated improvements and parking.

**Melanie Peavy:** Read excerpts from the staff report into the record to present the case before the Planning and Zoning Board. Staff recommends approval of the item.

The Special Magistrate asked the City Engineer to step forward at this time.

**Gene Losito:** Introduced himself for the record and addressed questions from the Special Magistrate regarding the project submission.

**Archie Lowry:** Is the applicant present?

In the background, Ed Abshier, Project Engineer, can be heard indicating that he is present and can step forward and be sworn in if the Special Magistrate has questions regarding the Site Plan. The Special Magistrate indicates he does not have questions at this time.

**Special Magistrate:** Does anyone from the audience have any comments on this matter?

No one from the public stepped forward at this time.

**Special Magistrate:** Any other comments or questions on this case? Hearing none, based upon the testimony and information received in this case and the information required under section 4.4 of the LDRs having been submitted, I recommend approval of project SP 1305-01 to the City Commission.

**SP 1305-02 Russell Stover Expansion (Parcel F12=032C)**

Site Plan approval for demolition and a 10,852 sq. ft. building expansion for retail candy sales with associated improvements.

**Melanie Peavy:** Read excerpts from the staff report into the record to present the case before the Planning and Zoning Board. Staff recommends approval of the item.

The Special Magistrate asked the City Engineer to step forward at this time.

**Gene Losito:** Introduced himself for the record and addressed questions from the Special Magistrate regarding the project submission.

The Special Magistrate had some follow-up questions, which Ms. Peavy addressed.

**Archie Lowry:** Is the applicant present?

**Jim Bailey, Tillman Associates, stepped forward and was sworn in at this time to address the project.**

The Special Magistrate had follow up questions for Mr. Bailey regarding an overview of the specifics of the project.

**Special Magistrate:** Does anyone from the audience have any comments on this matter?

No one from the public stepped forward at this time.

**Special Magistrate:** Any other comments or questions on this case? Hearing none, based upon the testimony and information received in this case and the information required under section 4.4 of the LDRs having been submitted, I recommend approval of project SP 1305-02 to the City Commission.

**RZ 1305-02 Oxford Oaks Planned Development (Parcels D18=040, D18=041, D18=064, D18=068, D18=069, approx. 218.5 acres)**  
Residential Planned Development approval for a subdivision consisting of 540 single family homes and one duplex (542 units total) with associated improvements.

**Melanie Peavy:** Read excerpts from the staff report into the record to present the case before the Planning and Zoning Board. There are two outstanding issues, for which staff is seeking direction from the Planning and Zoning Board as well as the City Commission, regarding sidewalks and the prohibition of a water tower being built on an adjacent City-owned property. Staff recommends approval, subject to sidewalks being installed on at least one side of all roadways, as well as the removal of language referring to a water tower.

The Special Magistrate asked a few clarifying questions, which Ms. Peavy addressed.

The Special Magistrate asked the City Engineer to step forward at this time.

**Gene Losito:** Addressed questions from the Special Magistrate regarding the project submission. He explained that the City Engineer had not reviewed the Planned Development agreement, but rather that their office would review the project at the Site Plan stage.

The Special Magistrate had some follow-up questions, which Ms. Peavy addressed. The Special Magistrate asked the City Engineer for his opinion on the matter, to which he stated he did not have one.

**Special Magistrate:** Is the applicant present?

**Marty Dzuro with The Villages stepped forward to be sworn in at this time to address the project.**

**Marty Dzuro:** If I could skip number one and start with number two: We don't have a problem removing that from the Ordinance. Our concern was that the City's water treatment facility site is rather small, and to put a tower on that property puts it very close to any homes we would build. But at the PRC, we talked to your Utility Director and we are going to work with him to either solve that problem through relocation or do something different. We don't have a problem removing the restriction from the Ordinance.

There was a short follow up conversation at this point.

**Special Magistrate:** Ok, then let's address this substantive issue of the sidewalks.

**Marty Dzuro:** The City Land Development Regulations require 5 foot sidewalks on both sides of all roads in a subdivision. We went the route of a Planned Development for more flexibility. We have worked with staff for close to a year, and we've come to a pretty good spot of agreeing to what we want to do, except for the sidewalks. What we are proposing is a sidewalk on one side of the main collector road that runs from US 301 west to C-209, and then from US 301 to the first intersection a sidewalk on the other side of that east-west main collector. The only other sidewalks....

**Special Magistrate:** Let me just ask you – could not you have designed the development to accommodate sidewalks on interiors and other roads?

**Marty Dzuro:** What happened is that we started designing when we got past the due diligence phase and we got into the actual engineering and design work, one of the reasons we went with the planned development is that the property is rather unique and has some significant topography to it. When we put sidewalks on both sides of the road on every road in the subdivision, even on one side, the grades are such that we create driveways that in some cases are at 10% grade. We also create a situation where from the sidewalk to the garage it leaves only 23 feet of this 10% grade. Those grading issues also create the need to step our foundations to go to all concrete block homes – no frame homes in the majority of them, because it would require a step down of the garage and steps going into the home.

**Special Magistrate:** Let me ask you – since you've been involved in quite a few developments, and I don't really recall – in The Villages, in some of those different subdivisions, do they have sidewalks?

**Marty Dzuro:** We have sidewalks similar to what we are proposing on our main collectors. We have a sidewalk on one side of the road. But on all of the internal roads in our retirement communities, and in Bison Valley in our family section, we do not have sidewalks on our small, internal roads. This subdivision is also designed that off of the

main road there are pods that go into cul-de-sacs or little loop roads so the traffic isn't going through there as much as on the collector.

**Special Magistrate:** Ok, and for those people who want to walk or whatever, they would have to get on the road to do so?

**Marty Dzuro:** From their section / pod, they would walk down the road, and on the north side, there are three crossings available, and then they would walk on the sidewalk on the south side.

**Special Magistrate:** Why is this not a grading issue and an improper layout not to put the sidewalks in?

**Marty Dzuro:** The only way to solve this would be to go to larger, deeper lots. Then you get to such a reduction in density that you couldn't build it and it would become cost-prohibitive.

There was further discussion of the sidewalk issue at this time. The applicant asserts that despite mass grading the property, it would not be practical to grade the entire property to accommodate sidewalks due to drop-offs that would form at the edge of the property and the cost-prohibitive nature of such an endeavor.

**Bruce Phillips:** If the developer is willing to drop the language regarding the water tank, I am fine working with the developer.

Does anyone from the audience have any comments on this matter?

No one from the public stepped forward at this time.

The Special Magistrate had some follow up questions at this time, which Ms. Peavy addressed regarding how the City formulated its present position.

**Special Magistrate:** Any other comments or questions on this case? Hearing none, based upon the testimony and information received in this case and the review of subsection 3.3(4) of the LDRs and applicable regulations, it appears that the project would be a quality project; however, it also appears that the City has deviated significantly from what would otherwise be required. Therefore I am reluctant to deviate further and recommend approval of Ordinance O2013-24 to the City Commission based on the following requirements:

1. The applicant agreeing to sidewalks on at least one side of internal roads of the development, and
2. Removal of language referring to the water tower in the agreement which the applicant has already agreed to.

The Commission can weigh that and decide, if in fact the development can in fact cannot go forward based on a cost-analysis, then they can decide how they want to move forward.

**RZ 1306-01 Wildwood Entertainment Park (Parcels G19=011 and G30=048)**  
Commercial / Industrial Planned Development approval for an Entertainment Park / Mud Bog.

**Melanie Peavy:** Read excerpts from the staff report into the record to present the case before the Planning and Zoning Board. Staff recommends approval of the item.

The Special Magistrate asked a few clarifying questions, which Ms. Peavy addressed.

**[There is a minor break in the recording at this time, due to tape reversal]**

Additional clarifying questions resumed from the Special Magistrate regarding noise levels, which were addressed by Ms. Peavy.

The Special Magistrate asked the City Engineer to step forward at this time.

**Special Magistrate:** I don't believe the engineer has reviewed anything in the Ordinance, is that correct?

**Gene Losito:** That is correct. We did not review the PD ordinance, but we did review the Site Plan that was submitted at the same time.

**Special Magistrate:** Did you have any comments on the Site Plan?

[inaudible] – The Site Plan is the next case.

Special Magistrate: Ok, well, we'll address it next then.

**Special Magistrate:** Does anyone from the audience have any comments on this matter?

**Frank Fox stepped forward to be sworn in at this time.**

**Frank Fox:** I'm one of those handful of residents who live across the street. This looks like an awful lot of noise. I came to Sumter County for peace and quiet, but I guess we are done with that now. The Villages now is only three miles from us, and now you're going to put in Mud Bogging and RTV across the street from us. The hours – I mean, I used to sleep most of these times, but I guess I won't be doing that anymore. Events will start at 8 am on Saturday and 12 noon on Sunday. Friday, Saturday, and Sunday is booked. If the neighbor on US 301 plays his stereo, you can hear it all around. This RTV thing, and mud boggers, are going to make a lot of noise, muffled I'm sure.

Special Magistrate: Is the applicant present?

**Lee Clymer, with Farner, Barley, and Associates stepped forward and was sworn in at this time.**

Mr. Clymer answered questions from the Special Magistrate at this time.

**Cliff Wittman, applicant, stepped forward and was sworn in at this time.**

Mr. Wittman answered questions from the Special Magistrate at this time regarding the potential for noise and noise mitigation, as well as the types of vehicles that would be used on the property.

**Special Magistrate:** Are there any other comments from the public?

There were no other comments from the public.

**Special Magistrate:** For the audience, I simply make a recommendation to the City Commission. If you are opposed to this, you need to be able to articulate the substantial basis of your argument against the project to them. Next, I have a comment that the noise levels, or decibels, must be addressed prior to, not subsequent to, approval. There needs to be some type of noise level regulation that needs to be written into the ordinance for the ATVs and the trucks for the whole complex. Based upon the testimony and information received in this case and the review of subsection 3.3(4) of the LDRs and applicable regulations, I recommend approval of ordinance O2013-25 to the City Commission, subject to:

1. A noise level type of ordinance or requirements being built into this ordinance, and
2. That some type of criteria be built into it pertaining to the actual type of vehicles with some specificity as can utilize the property.

The idea is that the ordinance will give the City the ability to regulate the development if the noise becomes unwieldy.

**Martha McDowell stepped forward to be sworn in at this time.**

**Martha McDowell:** Requested that the noise level ordinance also address music as well.

The Special Magistrate agreed and requested that the order reflect that the noise level requirements would cover all activity on the property.

**James Stevens, former City Manager, stepped forward to be sworn in at this time.**

**James Stevens:** I have a concern, although I'm not sure if it gets addressed with this body. There needs to be some kind of turn off lane, acceleration / deceleration lane.

**Special Magistrate:** I believe that would be addressed in the Site Plan for the project, correct?

**Gene Losito:** Yes, it would be addressed in their Site Plan submittal, which would be reviewed by the MPO.

**Special Magistrate:** Any other comments from the public?

Hearing none, the Special Magistrate moved on to the last case on the agenda.

**Melanie Peavy:** Requested to address the traffic question for the Wildwood Entertainment Park Planned Development. In section L of the Planned Development Ordinance, the developer is required to provide monthly monitoring reports in lieu of a full traffic study at this time.

**SP 1306-01 Wildwood Entertainment Park (Parcels G19=011 and G30=048)**  
Site Plan approval for an Entertainment Park / Mud Bog consisting of two mud holes, a volleyball court, a 576 sq. ft. tower, and a 3,414 sq. ft. concrete truck pull area with associated improvements.

**Melanie Peavy:** Read excerpts from the staff report into the record to present the case before the Planning and Zoning Board. Staff recommends approval of the item.

**Special Magistrate:** Has the City Engineer reviewed the project?

**Gene Losito:** Yes.

Gene Losito stated that the project meets the LDR criteria as well as the criteria set forth in the Planned Development Ordinance approved in this meeting.

**Special Magistrate:** Does anyone from the audience have any comments on this matter?

No one from the public stepped forward at this time.

Based upon the testimony and information received in this case and the review of section 4.4 of the LDRs and applicable regulations, I recommend approval of ordinance O2013-25 to the City Commission, subject to:

1. A noise level type of ordinance or requirements being built into this ordinance, and
2. That some type of criteria be built into it pertaining to the actual type of vehicles with some specificity as can utilize the property.

**Special Magistrate:** Is there any other business to come before the Planning and Zoning Board today?

With no further business to discuss, the Planning and Zoning Board/Special Magistrate meeting for the City of Wildwood was adjourned at approximately 4:05 p.m.

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Date

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Archie O. Lowry, Jr., Special Magistrate  
City of Wildwood, Florida

**CITY OF WILDWOOD**  
**Planning and Zoning Board/Special Magistrate**

**Case No:** RZ 1307-01

**Parcel Number(s):** G08=105 and G08=099

**Property Location:** West of Powell Road; South of Millennium Park; North of C-44A

**Owner:** Leonard Powell Properties, Inc.

**Applicant:** Leonard Powell

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The applicant seeks approval and a favorable recommendation from the Planning and Zoning Board/Special Magistrate for a Zoning Map Amendment from Sumter County "R1 and RR1" to City of Wildwood "C-2: General Commercial – Neighborhood" for Parcels G08=105 and G08=099. This rezoning request is in relation to a concurrent Small Scale Comprehensive Plan amendment (Case CP 1307-01).

Pursuant to Section 3.3(4) of the Land Development Regulations, Staff believes the zoning change to "C-2: General Commercial - Neighborhood" should be granted based on the following criteria:

- (a) Whether the proposed change is consistent with the comprehensive plan;  
The proposed rezoning to "C-2: General Commercial - Neighborhood" is consistent with the proposed Future Land Use Map designation of "Commercial."
- (b) The existing land use pattern of the surrounding area;  
The proposed rezoning is compatible with the land use pattern of the surrounding area. The subject property is located just north of the Brownwood Town Center along Powell Road. The property is intended for commercial uses which are appropriate giving its proximity to Brownwood and its location along a major roadway.
- (c) The possibility of adversely affecting public facilities such as schools, utilities, streets, etc;  
The amendment will not adversely affect public facilities and services. The proposed amendment is consistent with the Joint Planning Area Future Land Use Map. All impacts to public facilities and services as a result of the increased development potential within the Joint Planning Area were addressed during the Joint Planning Area Comprehensive Plan Amendment (Summer of 2012). As such, the amendment will not adversely affect any public facilities or services.
- (d) Whether changed or changing conditions make the passage of the proposed amendment necessary;  
The rezoning is necessary to accommodate the proposed use of the property and to bring the property in compliance with the Future Land Use Map. Further, the property will be annexed into the City and will need to be given a City zoning designation.
- (e) Whether the proposed change will create or excessively increase traffic congestion or otherwise be a detriment to public safety;  
The proposed rezoning will not create an excessive increase in traffic or be a threat to public safety. The proposed use is likely to slightly increase traffic on Powell Road and C-44A. However, prior to site plan approval, the project will be required to conduct a Traffic

Impact Statement to ensure the increased traffic as a result of the project is safely managed and properly mitigated.

- (f) Whether the proposed change will be a deterrent to the improvement or development of adjacent property:

The proposed rezoning will not be a deterrent to the development of surrounding properties. The surrounding properties are permitted to develop in accordance with their zoning map designation.

Therefore, **Staff suggests approval and a favorable recommendation of Ordinance #O2013-32 (attached).**

The Planning and Zoning Board/Special Magistrate has a duty to make recommendations to the City Commission on all rezonings.

This office has duly noticed this meeting as prescribed by City of Wildwood Code for PUBLIC NOTICES in the City of Wildwood. Notice of Hearing has been sent via Certified Mail to all property owners adjoining the property in question. Notice has been posted on the Notice Board at City Hall and on the bulletin board at the Wildwood Post Office. A notice of this meeting was published in a newspaper of general circulation (Daily Commercial) on July 26, 2013.

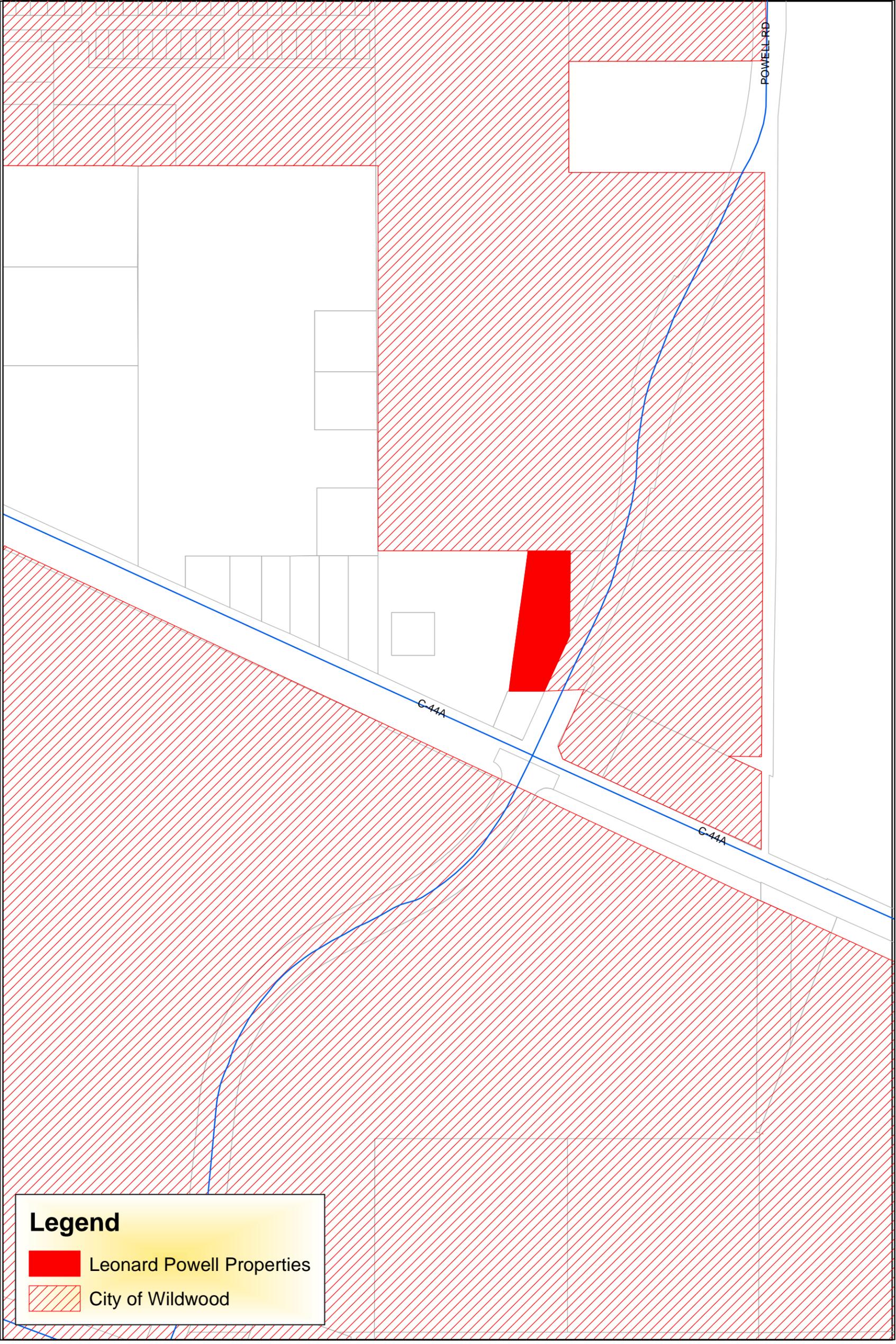
DATED: July 31, 2013



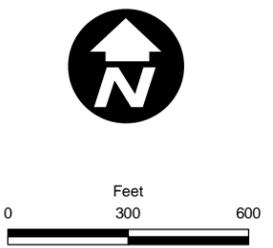
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Jason F. McHugh  
Development Services Coordinator/ City Planner

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City of Wildwood  
 100 North Main Street  
 Wildwood, FL 34485  
 Phone: (352) 330-1330  
[www.wildwood-fl.gov](http://www.wildwood-fl.gov)



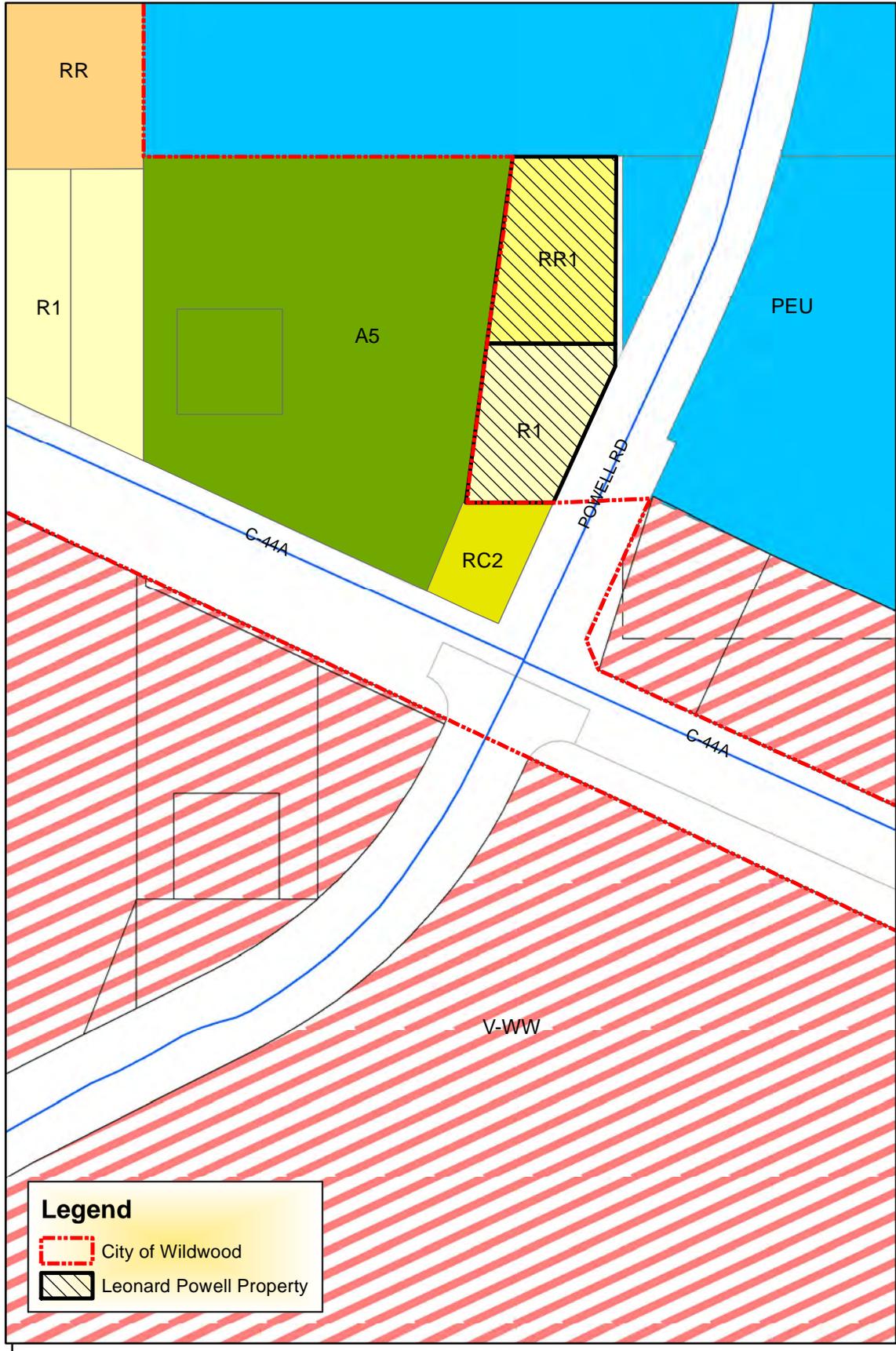
**LEONARD POWELL PROPERTIES**

**WILDWOOD, FLORIDA**

July 2013

LOCATION MAP

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**Legend**

- City of Wildwood
- Leonard Powell Property



City of Wildwood  
 100 North Main Street  
 Wildwood, FL 34485  
 Phone: (352) 330-1330  
 www.wildwood-fl.gov



Feet  
 0 190 380

**LEONARD POWELL**

**WILDWOOD, FLORIDA**

July 2013

EXISTING ZONING

**ORDINANCE NO. O2013-32**

AN ORDINANCE OF THE CITY OF WILDWOOD FLORIDA;  
PROPOSING A ZONING MAP AMENDMENT TO THE  
OFFICIAL ZONING MAP IN ACCORDANCE WITH  
SECTIONS 3.2 AND 3.3 OF THE LAND DEVELOPMENT  
REGULATIONS; PROVIDING FOR CODIFICATION;  
PROVIDING FOR CONFLICT; AND PROVIDING FOR AN  
EFFECTIVE DATE

**WHEREAS**, the City of Wildwood, Florida, is proposing to amend the Official Zoning Map of said City, to include a rezoning of real property described as follows, to-wit:

**LEGAL DESCRIPTION**

**Parcel # G08=099**  
**1.0 +/- Acre**

Section 8, Township 19 South, Range 23 East, [Sumter County, Florida]: Commence at the Northeast corner of the West ½ of the North ½ of the Northeast ¼ of the Southeast ¼ of said Section 8 as a point of reference and the Point of Beginning of this description: run North 89°46'30" West 155.50 feet along the North line of the West ½ of the North ½ of the Northeast ¼ of the Southeast ¼; run South 07°55'49" West 254.13 feet; run South 89°46'30" East 190.26 feet to the East line of the West ½ of the North ½ of the Northeast ¼ of the Southeast ¼; run North 0°04'10" East 251.84 feet along the above said East line to the Point of Beginning.

Together with an easement for ingress and egress over and across a strip of land 20 feet wide lying Westerly of a line described as follows: Commence at the Southeast corner of the West ½ of the North ½ of the Northeast ¼ of the Southeast ¼ of Section 8, Township 19 South, Range 23 East, Sumter County, Florida for a Point of Reference: Thence run N. 89°48'42" W. 101.80 feet to the North Right-of-Way line of County Road 44A; thence N. 65°34'20" W. 183.20 feet to the Point of Beginning of the line; thence N. 21°36'32" E. 133.86 feet; thence N. 07°55'49" E. 254.74 feet to the Point of Termination.

**Parcel # G08=105**

**.85 +/- Acres**

Commence at the Northeast corner of the West half of the North half of the Northeast quarter of the Southeast quarter of Section 8, Township 19 South, Range 23 East, Sumter County, Florida as a point of reference, thence run South 0°04'10" West 251.84 feet along the East line of the West half of the North half of the Northeast quarter of the Southeast quarter to the Point of Beginning of this description (1) continue South 0°04'10" West 213.12 feet along the above said East line (2) then run North 89°48'40" West 219.51 feet; (3) thence run North 07°55'49" East 214.79 feet; (4) thence run South 89°46'30" East 190.26 feet back to the Point of Beginning to close. TOGETHER WITH an easement for ingress and egress over and across a strip of land 20 feet wide lying Westerly of a line described as follows: Commence at the Southeast corner of the West half of the North half of the Northeast quarter of the Southeast quarter of Section 8, Township 19 South, Range 23 East, Sumter County, Florida, for a point of reference; thence run North 89°48'40" West 101.80 feet to the Point of Beginning of the line; thence North 21°36'32" East 133.86 feet; thence North 07°55'49" East 254.74 feet to the Point of Termination, Sumter County, Florida.

This property is to be reclassified from County "R1 and RR1" to City "C-2: General Commercial-Neighborhood."

**AND WHEREAS**, the rezoning is consistent with the City's Comprehensive Plan and Land Development Regulations.

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

**SECTION 1.** The Official Zoning Map of the City of Wildwood, Florida is hereby amended to include the above-referenced property as indicated above. The amendment to the Official Zoning Map 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 upon its final reading by the City Commission of the City of Wildwood.

**DONE AND ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by  
the City Commission of the City of Wildwood, Florida.

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

S E A L

\_\_\_\_\_  
Ed Wolf, Mayor

ATTEST: \_\_\_\_\_  
Joseph Jacobs, City Clerk

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Jerri A. Blair, City Attorney

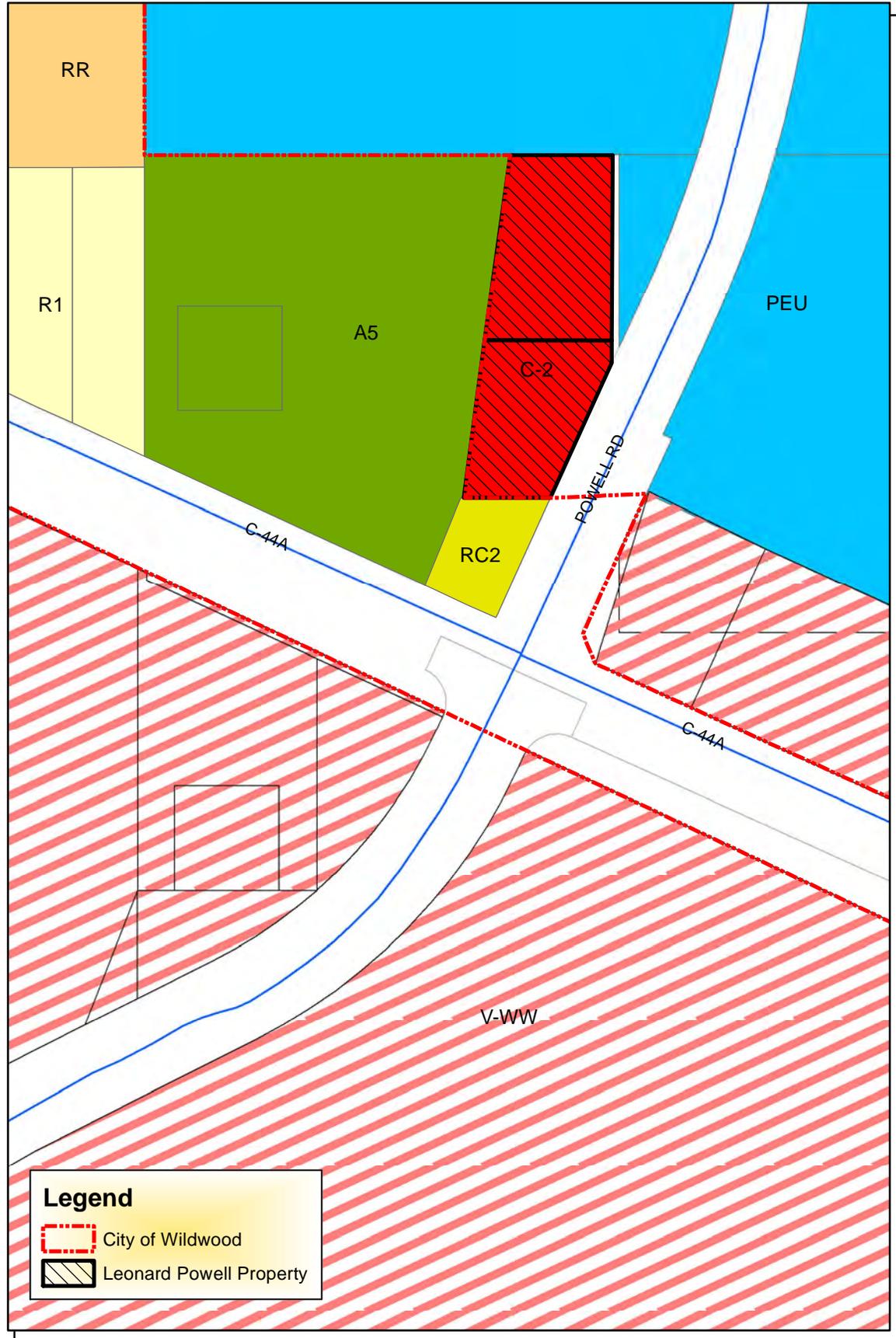
**Ordinance O2013-32**

**“Exhibit A”**

**Leonard Powell Properties, Inc**

**Zoning Map Designation**

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**Legend**

- City of Wildwood
- Leonard Powell Property



City of Wildwood  
 100 North Main Street  
 Wildwood, FL 34485  
 Phone: (352) 330-1330  
 www.wildwood-fl.gov



Feet  
 0 190 380

**LEONARD POWELL**

**WILDWOOD, FLORIDA**

July 2013

PROPOSED ZONING

**CITY OF WILDWOOD**  
**Planning and Zoning Board/Special Magistrate**

**Case No:** RZ 1307-02

**Parcel Number(s):** G08=003

**Property Location:** West side of Powell Road, south of Huey Street

**Owner:** Geneva M. Hampton, Donnie Ford, and Doris Ford

**Applicant:** Geneva M. Hampton, Donnie Ford, and Doris Ford

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The applicant seeks approval and a favorable recommendation from the Planning and Zoning Board/Special Magistrate for a Zoning Map Amendment from Sumter County "RR" to City of Wildwood "IN: Institutional" for Parcel G08=003. This rezoning request is in relation to a concurrent Small Scale Comprehensive Plan amendment (Case CP 1307-02).

Pursuant to Subsection 3.3(4) of the Land Development Regulations, Staff believes the zoning change to "IN: Institutional" should be granted based on the following criteria:

- (a) Whether the proposed change is consistent with the comprehensive plan;  
The proposed rezoning to "IN: Institutional" is consistent with the proposed Future Land Use Map designation of "Public Facilities."
- (b) The existing land use pattern of the surrounding area;  
The proposed rezoning is compatible with the evolving land use pattern of the surrounding area. The subject property is located along Powell Road in an urbanizing area between the Brownwood Town Center and Pinellas Plaza. The property is intended for an Assisted Living Facility which is appropriate giving its proximity to The Villages and its location along a major roadway.
- (c) The possibility of adversely affecting public facilities such as schools, utilities, streets, etc;  
The amendment should not adversely affect public facilities and services. Currently, the City has potable water, and sanitary sewer capacity to accommodate the proposed development, and Powell Road can adequately serve the increased traffic. This project will not impact school facilities. However, prior to site plan approval the project will be required to correct any deficiencies to public facilities and services should any be present at the time.
- (d) Whether changed or changing conditions make the passage of the proposed amendment necessary;  
The rezoning is necessary to accommodate the proposed use of the property and to bring the property in compliance with the Future Land Use Map. Further, the property has been annexed into the City and requires a City zoning designation.
- (e) Whether the proposed change will create or excessively increase traffic congestion or otherwise be a detriment to public safety;  
The proposed rezoning will not create an excessive increase in traffic or be a threat to public safety. The proposed use is likely to slightly increase traffic on Powell Road, but Powell Road was designed to accommodate higher traffic. However, prior to site plan approval, the project will be required to review the traffic potential and make a Traffic

Impact Statement to ensure the increased traffic as a result of the project is safely managed and properly mitigated.

- (f) Whether the proposed change will be a deterrent to the improvement or development of adjacent property:

The proposed rezoning will not be a deterrent to the development of surrounding properties. The surrounding properties are permitted to develop in accordance with their zoning map designation.

Therefore, **Staff suggests approval and a favorable recommendation of Ordinance #O2013-36 (attached).**

The Planning and Zoning Board/Special Magistrate has a duty to make recommendations to the City Commission on all rezonings.

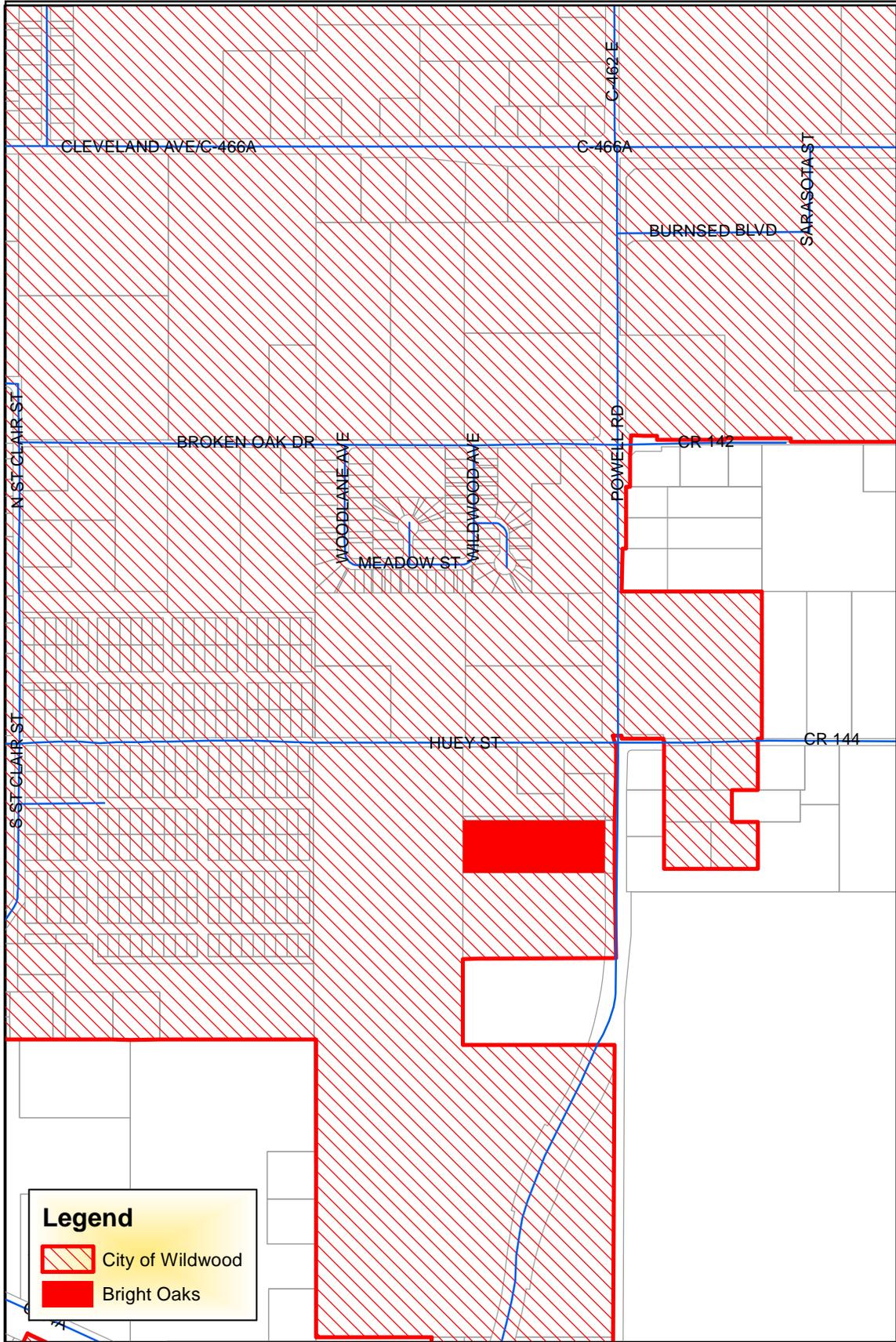
This office has duly noticed this meeting as prescribed by City of Wildwood Code for PUBLIC NOTICES in the City of Wildwood. Notice of Hearing has been sent via Certified Mail to all property owners adjoining the property in question. Notice has been posted on the Notice Board at City Hall and on the bulletin board at the Wildwood Post Office. A notice of this meeting was published in a newspaper of general circulation (Daily Commercial) on July 26, 2013.

DATED: July 31, 2013



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Jason F. McHugh  
Development Services Coordinator/ City Planner



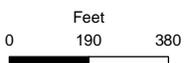
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**Legend**

- City of Wildwood
- Bright Oaks

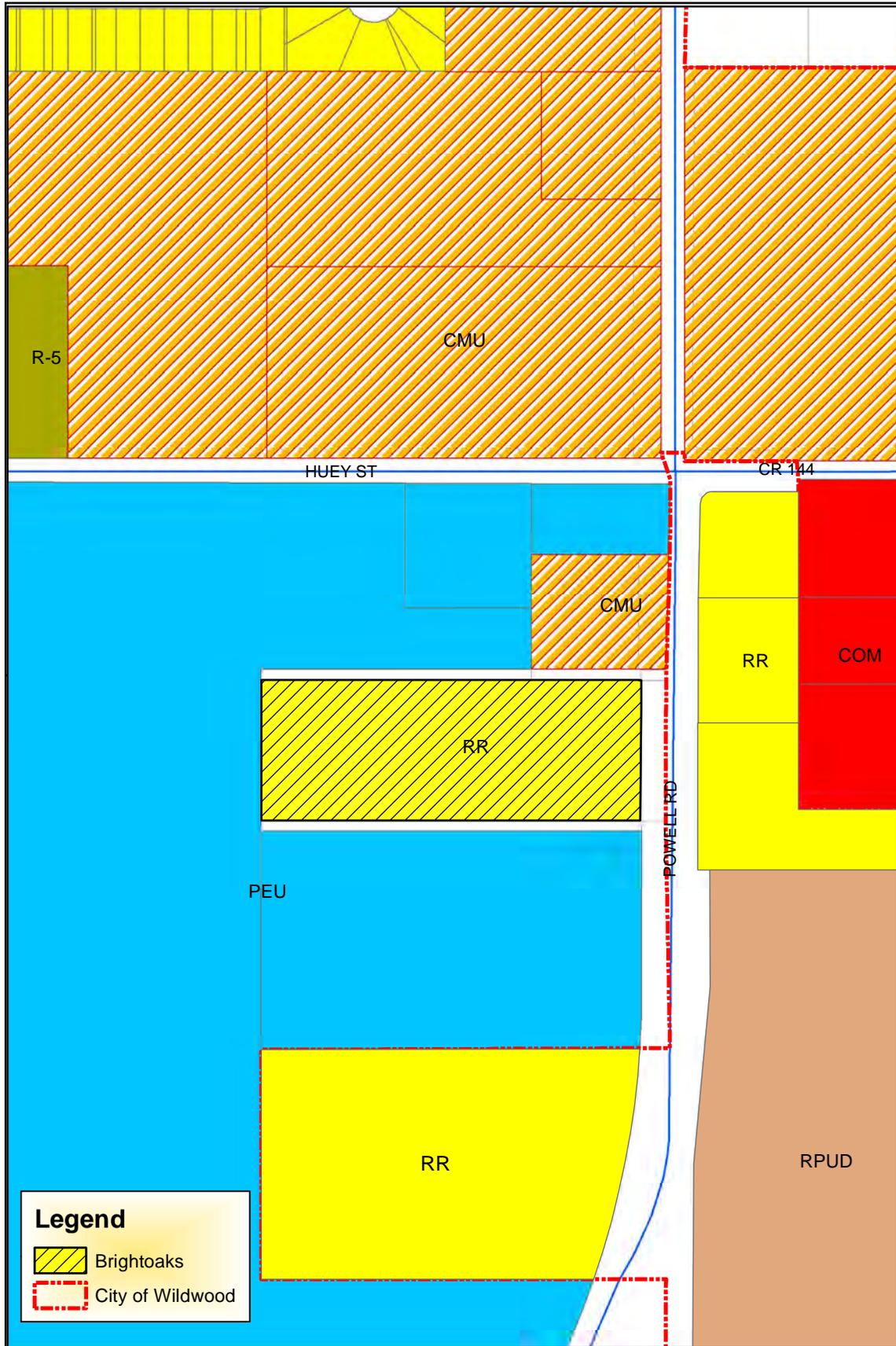


City of Wildwood  
 100 North Main Street  
 Wildwood, FL 34485  
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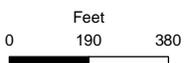


<b>BRIGHT OAKS</b>	
<b>WILDWOOD, FLORIDA</b>	
June 2013	Location Map

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City of Wildwood  
 100 North Main Street  
 Wildwood, FL 34485  
 Phone: (352) 330-1330  
 www.wildwood-fl.gov



**BRIGHT OAKS**

**WILDWOOD, FLORIDA**

July 2013

EXISTING ZONING

**ORDINANCE NO. O2013-36**

AN ORDINANCE OF THE CITY OF WILDWOOD FLORIDA;  
PROPOSING A ZONING MAP AMENDMENT TO THE  
OFFICIAL ZONING MAP IN ACCORDANCE WITH  
SECTIONS 3.2 AND 3.3 OF THE LAND DEVELOPMENT  
REGULATIONS; PROVIDING FOR CODIFICATION;  
PROVIDING FOR CONFLICT; AND PROVIDING FOR AN  
EFFECTIVE DATE

**WHEREAS**, the City of Wildwood, Florida, is proposing to amend the Official Zoning Map of said City, to include a rezoning of real property described as follows, to-wit:

**Parcel # G08=003**  
**3.5 +/- Acres**

**LEGAL DESCRIPTION**

BEGINNING ONE HUNDRED AND FIVE AND ONE THIRD (105 1/3) YARDS SOUTH OF THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, AND RUNNING THENCE WEST TWO HUNDRED AND THIRTY (230) YARDS; THENCE SOUTH EIGHTY-FOUR (84) YARDS; THENCE EAST TWO HUNDRED AND THIRTY (230) YARDS; THENCE NORTH EIGHT-FOUR (84) YARDS BACK TO THE POINT OF BEGINNING, LESS ROAD RIGHT OF WAY.

ALSO LESS AND EXCEPT THAT PORTION CONVEYED TO SUMTER COUNTY BY RIGHT-OF-WAY DEED RECORDED IN O.R. BOOK 2105, PAGE 553, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SECTION 8; THENCE SOUTH 00°27'24" WEST ALONG THE EAST LINE OF SAID NORTHEAST 1/4 OF SECTION 8, A DISTANCE OF 316.03 FEET TO THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID NORTHEAST 1/4 OF SECTION 8; THENCE NORTH 89°33'36" WEST ALONG SAID SOUTH LINE FOR 4.49 FEET TO THE WESTERLY RIGHT OF WAY PER SUMTER COUNTY MAINTENANCE MAP FOR COUNTY ROAD NO. 139 AND THE POINT OF BEGINNING; THENCE SOUTH 01°08'59" WEST ALONG SAID WESTERLY

RIGHT OF WAY FOR 252.00 FEET TO THE SOUTH LINE OF THE NORTH 568.00 FEET OF SAID NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8; THENCE NORTH 89°35'13" WEST ALONG SAID SOUTH LINE FOR 42.46 FEET TO A LINE 50.00 FEET WEST OF, WHEN MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH, THE EAST LINE OF SAID NORTHEAST 1/4 OF SECTION 8; THENCE NORTH 00°27'24" EAST ALONG SAID PARALLEL LINE FOR 252.00 FEET TO THE AFORESAID SOUTH LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8; THENCE SOUTH 89°33'36" EAST ALONG SAID SOUTH LINE FOR 45.51 FEET TO THE POINT OF BEGINNING.

CONTAINS THEREIN 3.5 ACRES, MORE OR LESS.

This property is to be reclassified from County "RR" to City "IN: Institutional."

**AND WHEREAS**, the rezoning is consistent with the City's Comprehensive Plan and Land Development Regulations.

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

**SECTION 1.** The Official Zoning Map of the City of Wildwood, Florida is hereby amended to include the above-referenced property as indicated above. The amendment to the Official Zoning Map 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 upon its final reading by the City Commission of the City of Wildwood.

**DONE AND ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by  
the City Commission of the City of Wildwood, Florida.

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

S E A L

\_\_\_\_\_  
Ed Wolf, Mayor

ATTEST: \_\_\_\_\_  
Joseph Jacobs, City Clerk

First Reading: \_\_\_\_\_

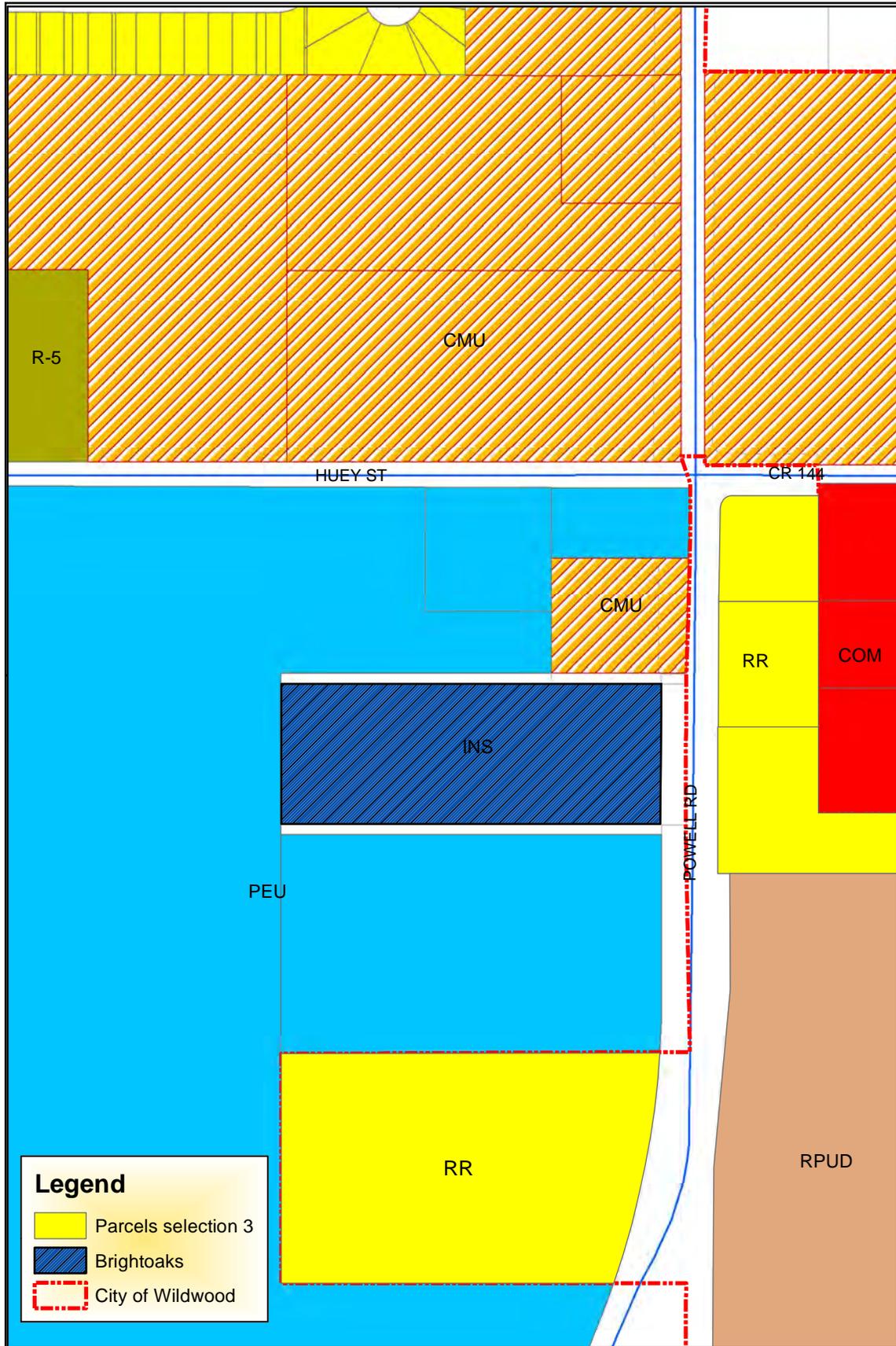
Second Reading: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Jerri A. Blair, City Attorney

**Ordinance O2013-36**  
**“Exhibit A”**  
**Bright Oaks**  
**Zoning Map Designation**

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City of Wildwood  
 100 North Main Street  
 Wildwood, FL 34485  
 Phone: (352) 330-1330  
 www.wildwood-fl.gov



Feet  
 0 190 380

**BRIGHT OAKS**

**WILDWOOD, FLORIDA**

July 2013

PROPOSED ZONING

**CITY OF WILDWOOD**  
**Planning and Zoning Board/Special Magistrate**

**Case No:** RZ 1307-03  
**Parcel Number(s):** G04=050  
**Property Location:** East of Powell Road; South of the County Government Complex  
**Owner:** Wildwood Retirement Residence, LLC  
**Applicant:** Mark Lowen - Lenity Architecture

---

The applicant seeks approval and a favorable recommendation from the Planning and Zoning Board/Special Magistrate for a Zoning Map Amendment from Sumter County "PIE" to City of Wildwood "IN: Institutional" for parcel G04=050. This rezoning request is in relation to a concurrent Small Scale Comprehensive Plan amendment (Case CP 1307-03).

Pursuant to Section 3.3(4) of the Land Development Regulations, Staff believes the zoning change to "IN- Institutional" should be granted based on the following criteria:

- (a) Whether the proposed change is consistent with the comprehensive plan;  
The proposed rezoning to "IN: Institutional" is consistent with the proposed Future Land Use Map designation of "Public Facilities."
- (b) The existing land use pattern of the surrounding area;  
The proposed rezoning is compatible with the land use pattern of the surrounding area. The subject property is located on Powell Road, a rapidly developing corridor sandwiched between Pinellas Plaza and the Brownwood Town Center. The Powell Road corridor contains a mix of land uses include residential, retail, and institutional.
- (c) The possibility of adversely affecting public facilities such as schools, utilities, streets, etc;  
The amendment will not adversely affect public facilities and services. The proposed amendment is comparable to the existing Sumter County designation, and this rezoning will not increase the amount of permitted development that is currently allowed on the subject property.
- (d) Whether changed or changing conditions make the passage of the proposed amendment necessary;  
The rezoning is necessary to accommodate the proposed use of the property and to bring the property in compliance with the City's Future Land Use Map.
- (e) Whether the proposed change will create or excessively increase traffic congestion or otherwise be a detriment to public safety;  
The proposed rezoning will not create an excessive increase in traffic or be a threat to public safety. The proposed amendment is comparable to the existing Sumter County designation, and this rezoning will not increase the amount of permitted development that is currently allowed on the subject property.

(f) Whether the proposed change will be a deterrent to the improvement or development of adjacent property:

The proposed rezoning will not be a deterrent to the development of surrounding properties. The surrounding properties are permitted to develop in accordance with their zoning map designation.

Therefore, **Staff suggests approval and a favorable recommendation of Ordinance #O2013-34 (attached).**

The Planning and Zoning Board/Special Magistrate has a duty to make recommendations to the City Commission on all rezonings.

This office has duly noticed this meeting as prescribed by City of Wildwood Code for PUBLIC NOTICES in the City of Wildwood. Notice of Hearing has been sent via Certified Mail to all property owners adjoining the property in question. Notice has been posted on the Notice Board at City Hall and on the bulletin board at the Wildwood Post Office. A notice of this meeting was published in a newspaper of general circulation (Daily Commercial) on July 26, 2013.

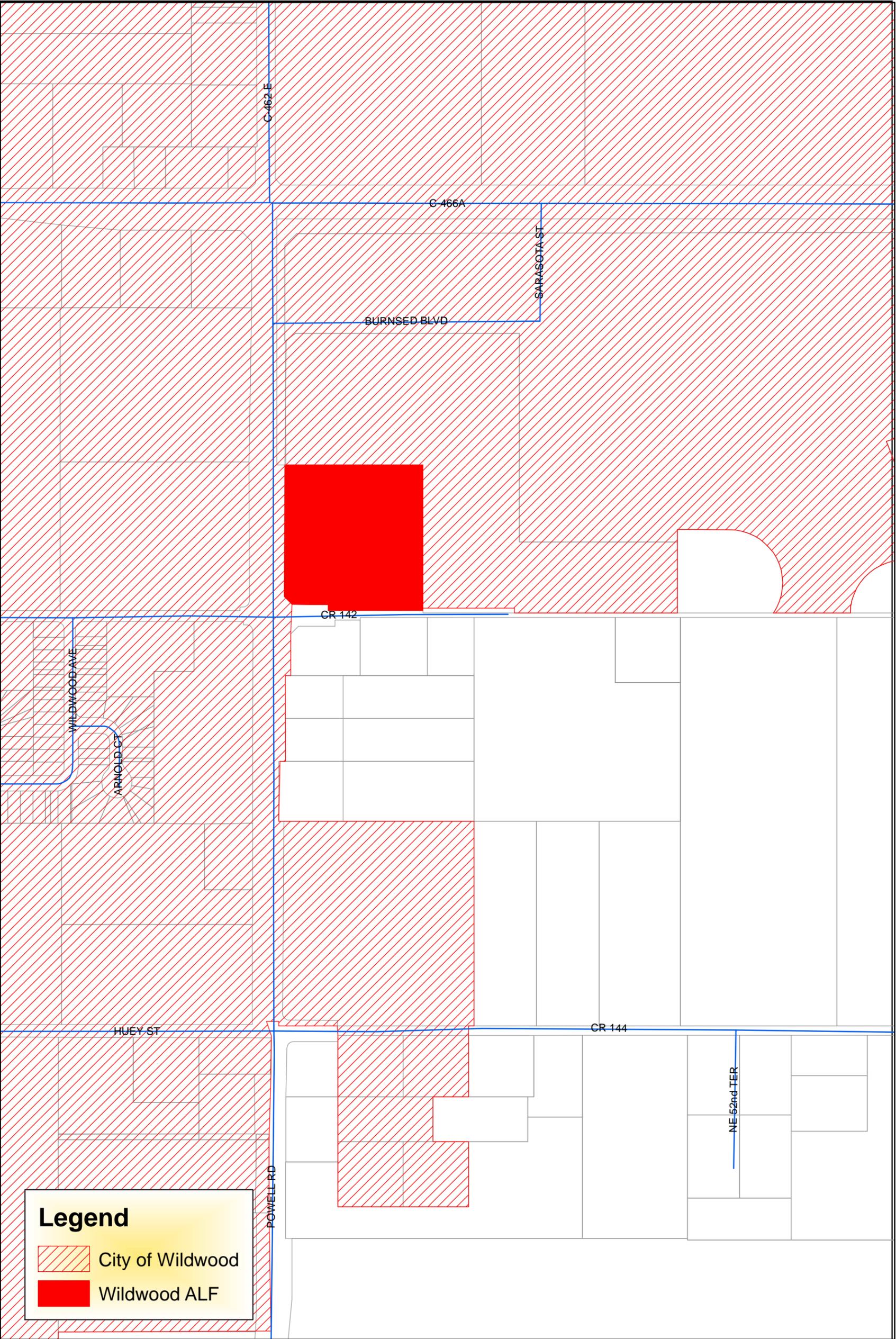
DATED: July 31, 2013



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Jason F. McHugh  
Development Services Coordinator/ City Planner

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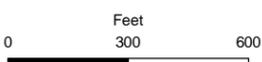


**Legend**

-  City of Wildwood
-  Wildwood ALF



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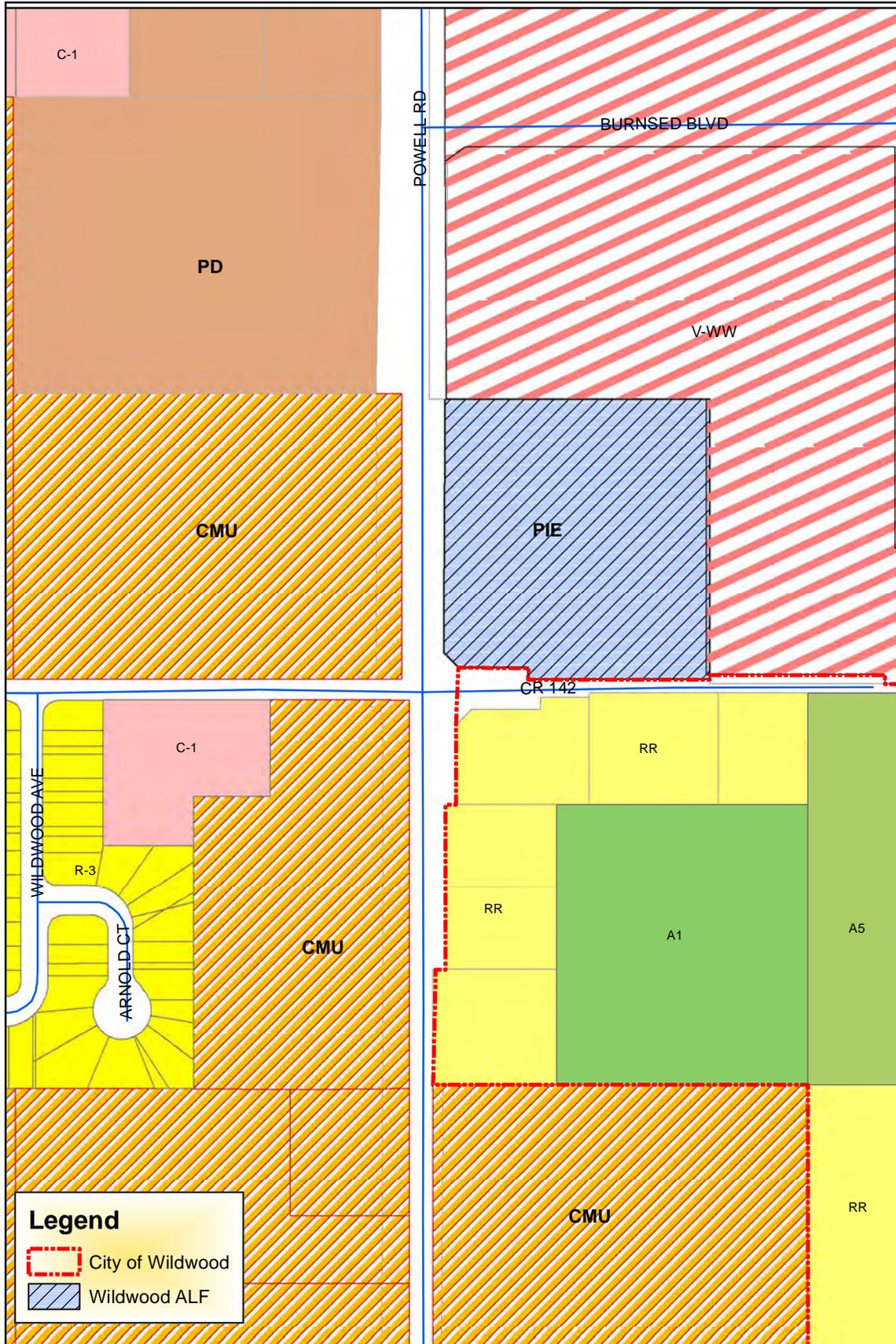
**WILDWOOD ALF**

**WILDWOOD, FLORIDA**

July 2013

LOCATION MAP

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**Legend**

- City of Wildwood
- Wildwood ALF



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 100 North Main Street  
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<b>WILDWOOD ALF</b>	
<b>WILDWOOD, FLORIDA</b>	
July 2013	EXISTING ZONING

**ORDINANCE NO. O2013-34**

AN ORDINANCE OF THE CITY OF WILDWOOD FLORIDA;  
PROPOSING A ZONING MAP AMENDMENT TO THE  
OFFICIAL ZONING MAP IN ACCORDANCE WITH  
SECTIONS 3.2 AND 3.3 OF THE LAND DEVELOPMENT  
REGULATIONS; PROVIDING FOR CODIFICATION;  
PROVIDING FOR CONFLICT; AND PROVIDING FOR AN  
EFFECTIVE DATE

**WHEREAS**, the City of Wildwood, Florida, is proposing to amend the Official Zoning Map of said City, to include a rezoning of real property described as follows, to-wit:

**Parcel G04=050**  
**Wildwood Retirement Residence, LLC**

LEGAL DESCRIPTION

THE NORTH 466.70 FEET OF THE SOUTH 481.70 FEET OF THE WEST 490.70 FEET OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, LESS ROAD RIGHT OF WAY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 4; THENCE ALONG THE WEST BOUNDARY OF SAID SECTION, S.00°22'17"W., 50.00 FEET; THENCE DEPARTING SAID WEST BOUNDARY, S.89°30'00"E., 24.00 FEET TO THE EAST BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 53, PAGE 414 OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG THE EAST BOUNDARY OF SAID LANDS, S.00°22'17"W., 794.14 FEET TO THE NORTH BOUNDARY OF THE SOUTH 481.70 FEET OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF AFORESAID SECTION 4; THENCE DEPARTING SAID EAST BOUNDARY, ALONG SAID NORTH BOUNDARY, S.89°32'24"E., 26.00 FEET TO THE NORTHEASTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2186, PAGE 621 OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTH BOUNDARY, S.89°32'23"E., 440.70 FEET TO THE EAST BOUNDARY OF THE WEST 490.70 FEET OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF AFORESAID SECTION 4; THENCE DEPARTING SAID NORTH BOUNDARY, ALONG SAID EAST BOUNDARY, S.00°22'17"W., 466.76 FEET TO THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 142 (RIGHT OF WAY WIDTH VARIES), SAID POINT BEING 15.00 FEET NORTH MEASURED AT RIGHT ANGLES TO THE SOUTH BOUNDARY OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 4; THENCE DEPARTING SAID EAST BOUNDARY, ALONG SAID NORTH RIGHT OF WAY LINE, N.89°31'42"W., 299.36 FEET TO THE SOUTHEAST CORNER OF AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2186, PAGE 621;

THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE, ALONG THE EASTERLY BOUNDARY OF SAID LANDS, N.00°27'36"E., 19.82 FEET TO THE NORTHERLY BOUNDARY OF SAID LANDS; THENCE DEPARTING THE EASTERLY BOUNDARY OF SAID LANDS, ALONG THE NORTHERLY BOUNDARY OF SAID LANDS, N.89°28'47"W., 116.37 FEET; THENCE CONTINUE ALONG THE NORTHERLY BOUNDARY OF SAID LANDS, N.44°33'15"W., 35.40 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD 139 (HAVING A 100 FOOT RIGHT OF WAY); THENCE DEPARTING THE NORTHERLY BOUNDARY OF SAID LANDS, ALONG SAID EAST RIGHT OF WAY LINE, N.00°22'17"E., 421.73 FEET TO THE POINT OF BEGINNING. SAID LANDS CONTAINING 4.65 ACRES, MORE OR LESS.

This property is to be reclassified from County "PIE" to City "IN: Institutional."

**AND WHEREAS**, the rezoning is consistent with the City's Comprehensive Plan and Land Development Regulations.

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

**SECTION 1.** The Official Zoning Map of the City of Wildwood, Florida is hereby amended to include the above-referenced property as indicated above. The amendment to the Official Zoning Map 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 upon its final reading by the City Commission of the City of Wildwood.

**DONE AND ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by  
the City Commission of the City of Wildwood, Florida.

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

S E A L

\_\_\_\_\_  
Ed Wolf, Mayor

ATTEST:

\_\_\_\_\_  
Joseph Jacobs, City Clerk

First Reading: \_\_\_\_\_

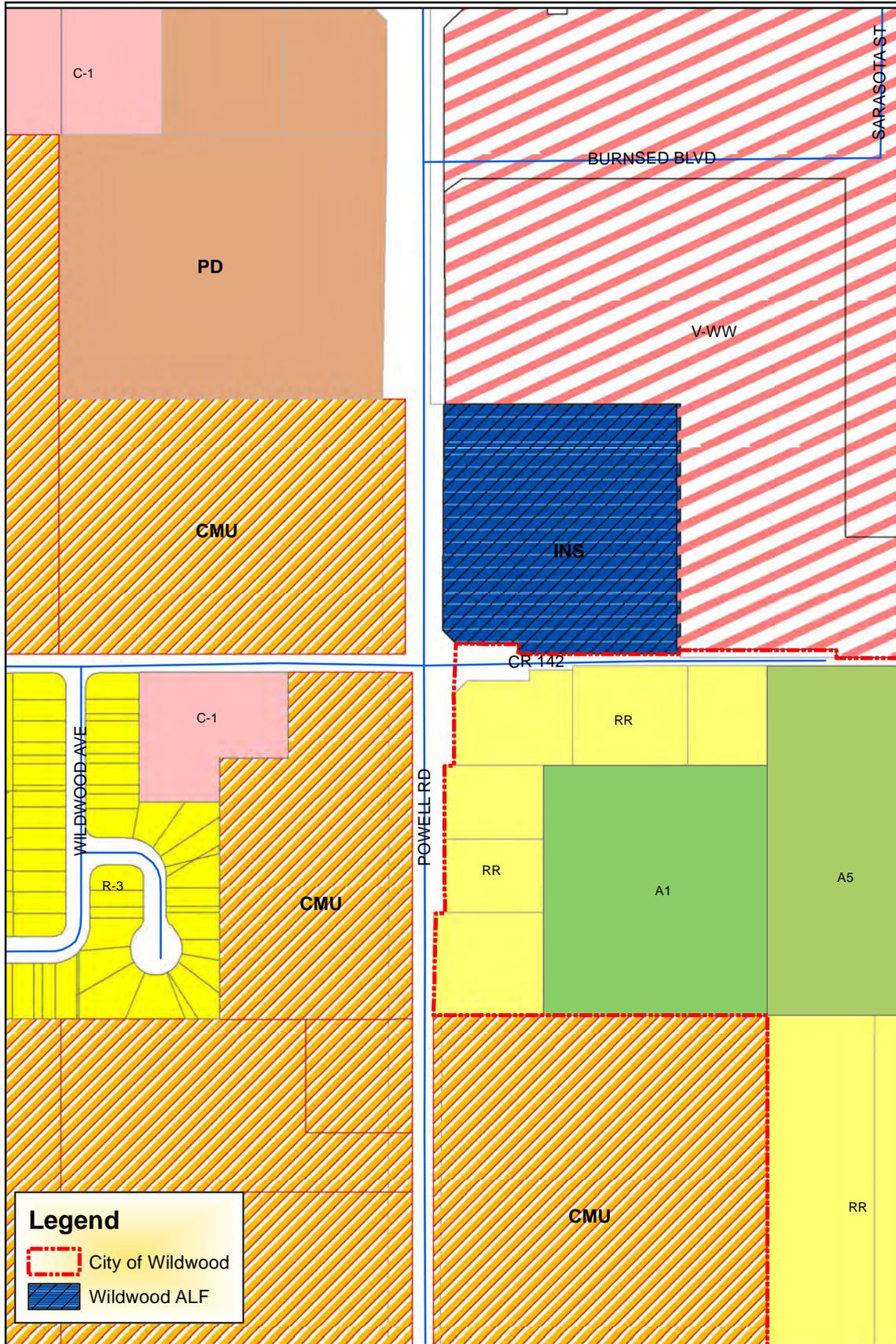
Second Reading: \_\_\_\_\_

Approved as to form:

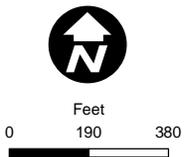
\_\_\_\_\_  
Jerri A. Blair, City Attorney

**Ordinance O2013-34**  
**“Exhibit A”**  
**Mills Property**  
**Zoning Map Designation**

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City of Wildwood  
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 Wildwood, FL 34485  
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<b>WILDWOOD ALF</b>	
<b>WILDWOOD, FLORIDA</b>	
July 2013	PROPOSED ZONING

**CITY OF WILDWOOD**  
**Planning and Zoning Board/Special Magistrate**

**Case No:** RZ 1307-04  
**Parcel Number(s):** D09M380, et. al.  
**Property Location:** West side of C-101 approximately a half mile north of C-466  
**Owner:** Parkwood Sumter Properties, Inc.  
**Applicant:** Parkwood Sumter Properties, Inc.

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The applicant seeks approval and a favorable recommendation from the Planning and Zoning Board/Special Magistrate for a modification to the Parkwood Planned Development (PD) to defer to the current Land Development Regulations (LDRs) in certain situations; more specifically, to allow for less restrictive accessory structure setbacks for those lots where the Ordinance is silent.

As this is an existing subdivision, the change is consistent with the comprehensive plan and the existing land use pattern of the surrounding area; public facilities will not be impacted. The proposed change will not create or increase traffic congestion or otherwise be a threat to public safety; and the proposed change will not be a deterrent to the improvement or development of adjacent property. Changes to the Land Development Regulations (LDRs) have made this amendment desirable for the applicant.

**Staff recommends approval of Ordinance #02013-38** to be forwarded to the City Commission for final action.

This office has duly noticed this meeting as prescribed by City of Wildwood Code for PUBLIC NOTICES in the City of Wildwood. Notice has been posted on the notice board at City Hall and on the bulletin boards at the Wildwood Post Office and Parkwood. A notice of this meeting was published in a newspaper of general circulation (Daily Commercial) on July 26<sup>th</sup>, 2013.

The Planning and Zoning Board/Special Magistrate has a duty to recommend to the City Commission approval, approval with conditions, or denial pursuant to subsections 1.7(B)(2) and 3.3(B)(3) of the Land Development Regulations.

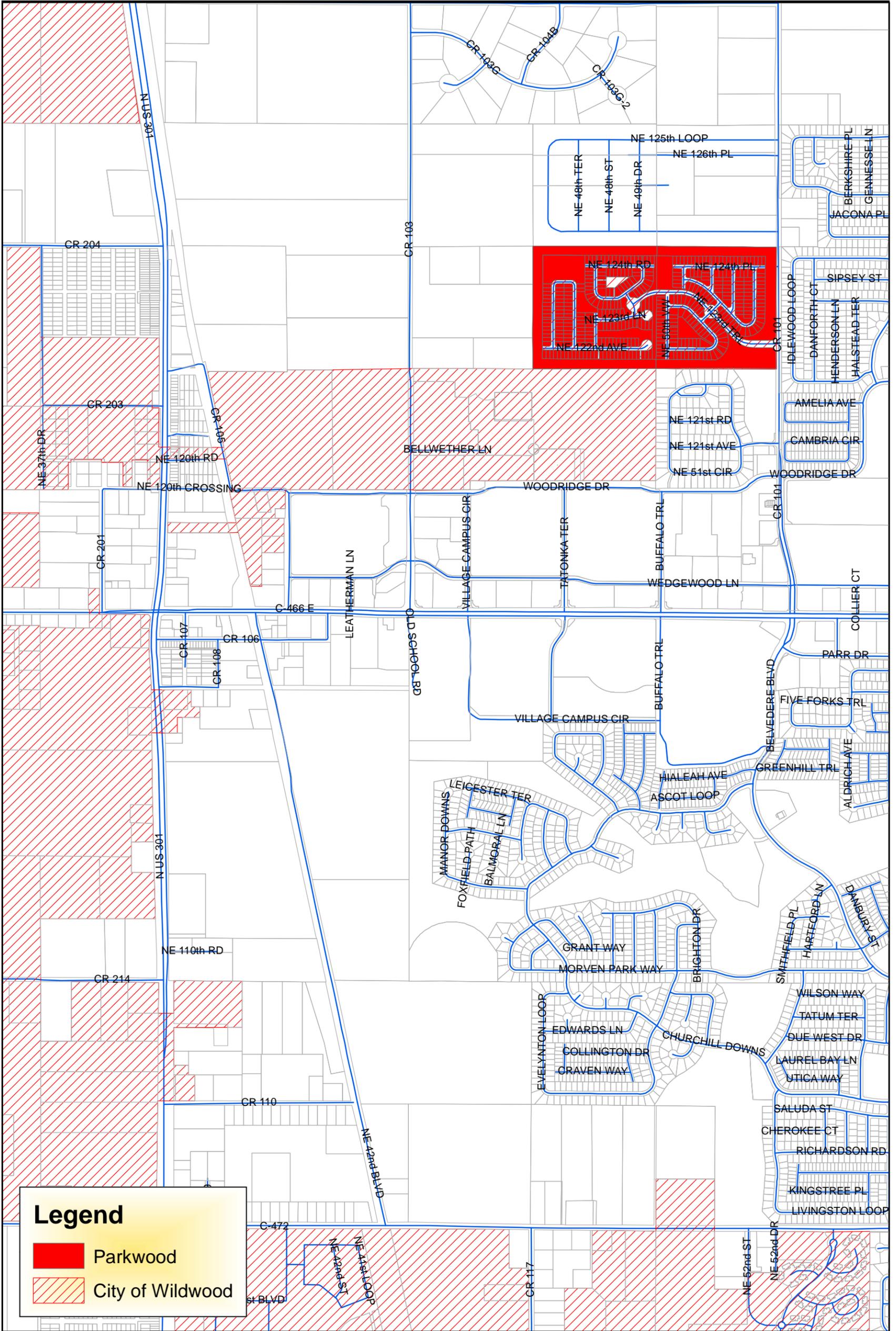


DATED: July 31, 2013

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Melanie D. Peavy  
Development Services Director

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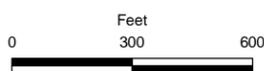


**Legend**

- Parkwood
- City of Wildwood



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 100 North Main Street  
 Wildwood, FL 34485  
 Phone: (352) 330-1330  
 www.wildwood-fl.gov



**PARKWOOD**

**WILDWOOD, FLORIDA**

July 2013

LOCATION MAP

**ORDINANCE ~~#2010-11~~2013-38**

**AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, COUNTY OF SUMTER, STATE OF FLORIDA,; RECLASSIFYING THE ZONING FROM COUNTY RPUD TO CITY PLANNED UNIT DEVELOPMENT FOR CERTAIN PROPERTY WITHIN THE CITY OF WILDWOOD, FLORIDA OWNED BY PARKWOOD SUMTER PROPERTIES, INC.; PROVIDING FOR THE TERMS AND CONDITIONS OF THE PLANNED UNIT DEVELOPMENT; PROVIDING FOR CONSISTENCY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR AMENDMENT TO THE OFFICIAL ZONING MAP; ; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; **RESCINDING** **REPEALING** **ORDINANCE ~~#2010-04~~#2010-11**; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Wildwood, FL, annexed the PUD property described below on September 25, 2007. At the time of annexation, the future land use was County High Density Residential and the zoning was County RPUD. Per the City's Land Development Regulations, upon annexation, the County land use and zoning remain applicable until such time as the City amends its comprehensive plan to change the future land use to a City designation and amends the zoning;

WHEREAS, the City of Wildwood, FL agreed to the terms of the Sumter County approved PUD establishing density, lot configurations, amenities and property design;

WHEREAS, the construction plans for "Parkwood Village" dated 11/19/2007 along with a memorandum of agreement between Sumter County and Parkwood Sumter, LLC currently govern the PUD property;

WHEREAS, the developer has requested an amendment to the PUD zoning to ~~allow for a zero lot line setback on all lots whose rear property line is adjacent to the 100' buffer or a dry retention area, with no rear or abutting home, a zero lot line set back on all lots whose rear property line is adjacent to any area not containing a buildable lot or abutting home and a 10' set back from the road Right of Way for those lots located on NE 123<sup>rd</sup> Trail. (Lots specifically listed in Section c. — Residential);~~ defer to the current Land Development Regulations (LDRs) in certain situations; specifically to allow for less restrictive accessory setbacks for those lots where the Ordinance is silent;

WHEREAS, the City of Wildwood requires a PUD Ordinance to specify terms and conditions of the PUD zoning.

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

**Section 1: Property Description and Zoning Classification.**

- a. The following described property, owned by Parkwood Sumter Properties, Inc., is located in the City of Wildwood, Florida:

**LEGAL DESCRIPTION:**

A PARCEL OF LAND BEING ALL OF THE NW ¼ OF THE SW ¼ OF SECTION 9, TOWNSHIP 18 SOUTH, RANGE 23 EAST, TOGETHER WITH ALL OF THE NE ¼ OF THE SE ¼ OF SECTION 8, TOWNSHIP 18 SOUTH, RANGE 23 EAST. SAID LANDS LYING IN SUMTER COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NW ¼ OF THE SW ¼ OF SAID SECTION 9, TOWNSHIP 18 SOUTH, RANGE 23 EAST; THENCE NORTH 89°32'22" WEST ALONG THE NORTH LINE OF THE NW ¼ OF THE SW ¼ OF SAID SECTION 9, TOWNSHIP 18 SOUTH, RANGE 23 EAST, A DISTANCE OF 1324.68 FEET TO THE NORTHEAST CORNER OF THE NE ¼ OF THE SE ¼ OF SAID SECTION 8, TOWNSHIP 18 SOUTH, RANGE 23 EAST; THENCE NORTH 89°32'42" WEST ALONG THE NORTH LINE OF THE NE ¼ OF THE SE ¼ OF SAID SECTION 8, TOWNSHIP 18 SOUTH, RANGE 23 EAST, A DISTANCE OF 1337.48 FEET TO THE NORTHWEST CORNER OF THE NE ¼ OF THE SE ¼ OF SAID SECTION 8, TOWNSHIP 18 SOUTH, RANGE 23 EAST; THENCE SOUTH 00°20'46" WEST ALONG THE WEST LINE OF THE NE ¼ OF THE SE ¼ OF SAID SECTION 8, TOWNSHIP 18 SOUTH, RANGE 23 EAST, A DISTANCE OF 1323.66 FEET TO THE SOUTHWEST CORNER OF THE NE ¼ OF THE SE ¼ OF SAID SECTION 8, TOWNSHIP 18 SOUTH, RANGE 23 EAST; THENCE SOUTH 89°30'54" EAST ALONG THE SOUTH LINE OF THE NE ¼ OF THE SE ¼ OF SAID SECTION 8, TOWNSHIP 18 SOUTH, RANGE 23 EAST, A DISTANCE OF 1336.63 FEET TO THE SOUTHWEST CORNER OF THE NW ¼ OF THE SW ¼ OF SAID SECTION 9, TOWNSHIP 18 SOUTH, RANGE 23 EAST; THENCE SOUTH 89°28'04" EAST ALONG THE SOUTH LINE OF THE NW ¼ OF THE SW ¼ OF SAID SECTION 9, TOWNSHIP 18 SOUTH, RANGE 23 EAST, A DISTANCE OF 1325.21 FEET TO THE SOUTHEAST CORNER OF THE NW ¼ OF THE SW ¼ OF SAID SECTION 9, TOWNSHIP 18 SOUTH, RANGE 23 EAST; THENCE NORTH 00°21'37" EAST ALONG THE EAST LINE OF THE NW ¼ OF THE SW ¼ OF SAID SECTION 9, TOWNSHIP 18 SOUTH, RANGE 23 EAST, A DISTANCE OF 1326.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,526,072 SQUARE FEET (80.9475 ACRES) MORE OR LESS, INCLUDING RIGHT-OF-WAY.

- b. The above-described property shall be referred to in this ordinance as the PUD property.

**Section 2:**

PUD property is subject to the following terms and conditions:

- a. General

- 1. Development of this project shall be governed by the contents of this ordinance and applicable sections of the City of Wildwood Land Development Regulations and Code of Ordinances and all other applicable rules, regulations and ordinances of the City.
- 2. Where in conflict, the terms of this ordinance shall take precedence over the City of Wildwood Land Development Regulations and Code of Ordinances, and all other applicable rules, regulations and ordinances of the City.
- 3. Unless otherwise noted, the definition of all terms shall be the same as the definitions set forth in the City of Wildwood Land Development Regulations.
- 4. The purpose of this PUD is to:
  - i. Create an attractive and high-quality environment which is compatible with the scale and character of the local environment;
  - ii. Protect and enhance the environment, and promote sustainable development principles;
  - iii. Develop a residential area that is safe, comfortable and attractive to pedestrians;
  - viii. Maximize open space in the development.

- b. Land Uses

The Planned Unit Development is residential in nature and elements in the plan include single family residential, clubhouse pool area and open space areas. The proposed conceptual plan is attached hereto as exhibit "A".

Total Project: 80.947 acres

Residential: 48.485 acres

Amenities/Recreation	4.950 acres	
Open Space:	26.447 acres	Exceeds 25% minimum
Dedicated ROW	1.065 acres	

Non-substantial deviations from the acreages shall be allowed provided there is no increase in density or intensity.

The residential component of the development consists of 378 single family residential units on approximately 48.5 acres. The maximum density shall be 6 units per acre. The project may contain a mix of residential uses.

Single Family Lot Set-Backs

- Front – 25 feet
- Side – 10 feet
- Side – zero lot line
- Rear – 10 feet with the exception of properties listed below

Zero lot line set back shall apply on all lots whose rear property line is adjacent to the 100’ buffer or a dry retention area, with no rear or abutting home, more specifically:

- Lots 1-18
- Lots 27
- Lots 35-37
- Lots 45
- Lots 57-59
- Lots 76-83, 89
- Lots 142-197
- Lots 203-218
- Lots 245-252
- Lots 256-261
- Lots 264-268
- Lots 284-326

Zero lot line set back on all lots whose rear property line is adjacent to any area not containing a buildable lot or abutting home, more specifically:

- Lots 19-24
- Lots 50-53
- Lots 219-235
- Lot 348
- Lots 367-368
- Lots 376-378

The zero rear lot line on the above listed lots, shall apply only to accessory structures. On lots with an approved zero rear lot line for accessory structures, the set back from the house shall be a minimum of 5 feet.

A 15' set back from the road Right-of-Way for those lots located on NE 123<sup>rd</sup> Trail, more specifically:

Lots 25-26  
Lots 73-75  
Lots 198-202  
Lots 236-244  
Lots 271-278  
Lots 327-333

A 5' rear set back from structure and/or accessory structures along those lots abutting the clubhouse area, more specifically:

Lots 279-283

Maximum Building Height: 3 stories or 35 feet, unless jointly approved by the Sumter County Fire Department and the City Commission.

c. Recreation

1. The project shall contain a clubhouse, pool, picnic pavilions, sporting areas and playground area.
2. The minimum allocation of open space areas shall be the following 25% of the gross project site or 20.24 acres.

The open space system shall be provided and calculated as specified in the plans originally approved by Sumter County and may include, but not be limited to, project buffer areas, recreation area, landscaped areas, and portions of storm water management system. The open space shall be interconnected wherever possible to provide a continuous network within and adjoining the site.

d. Maintenance of Common Areas

Maintenance and repair of structures, lawn mowing, and landscaping maintenance of all common and residential areas within the Project shall be the responsibility of the property owner, at no cost or obligation to the City. Guidelines shall be agreed upon by the developer and the City of Wildwood. Should the landlord/property owner/developer fail to timely perform these requirements, the City has the right, but not the obligation, to enforce these requirements on the

landlord/property owner/developer and be reimbursed for reasonable attorney's fees, costs and expenses. . A failure by the City to enforce this right shall not constitute a waiver.

e. Enforcement of Rules and Regulations

The developer/owner shall develop and provide rules and regulations which shall be binding and enforceable upon all tenants. Such rules and regulations shall be satisfactory to the City of Wildwood or its designated agent prior to permits being issued for construction of the improvements. If the property owner/landlord fails to enforce the rules and regulations, then the City of Wildwood shall have the right, but not the obligation, to enforce such rules and regulations upon the developer or landlord and the City should be entitled to reasonable attorney's fees and costs for enforcement regardless of whether or not a suit has been filed. . A failure by the City to enforce this right shall not constitute a waiver.

f. Amendments

Any substantial deviation from the terms of this Ordinance, shall be approved by the City Commission in accordance with the legal procedures to amend zoning ordinances.

**Section 3: Consistent with Comprehensive Plan.**

The zoning shall be consistent with City's Comprehensive Plan.

**Section 4: Official Zoning Map.**

The Development Services Director, or designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Wildwood, Florida, to include said designation.

**Section 5: Severability.**

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 6: Conflict.**

That the City of Wildwood Land Development Regulations (LDRs) are consistent with the provisions of the "Planned Development Agreement" as hereinafter set forth in Section 2 of this Ordinance. With respect to any conflict between the Land Development Regulations and the "Planned Development Agreement," the provisions of the "Planned Development Agreement" shall govern. Unless specific conditions are included in the "Planned Development Agreement" waiving or replacing the terms and conditions of the Land Development Regulations, the terms and conditions of the most current Land Development Regulations shall prevail.

With regard to the PUD property, this ordinance shall prevail if there is a conflict with any other ordinance. However, to the extent there is no conflict, all other ordinances are applicable to the PUD property.

**Section 7:** ~~Ordinance number O2010-04, enacted on September 25, 2007~~ **Ordinance Number O2010-11, enacted on June 28, 2010** is hereby ~~reseinded~~ **repealed**.

**Section 8: Effective Date.**

This Ordinance shall become effective upon ~~the approval of the City's 2035 Comprehensive Plan~~ its approval and adoption by the City Commission.

PASSED AND ORDAINED in regular session of the City Commission of the City of Wildwood, Sumter County, Florida, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

ATTEST: \_\_\_\_\_  
Joseph Jacobs, City Clerk

\_\_\_\_\_  
ED WOLF, MAYOR

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
Jerri A. Blair, City Attorney



**CITY OF WILDWOOD**  
**Planning & Zoning Board/Special Magistrate**

**Case No:** SP 1306-03 – Improvement Plan (Plat) – Villages of Legacy Park

**Owner:** R. William Futch, Trustee

**Applicant:** Gary Thurston, Advanced Holdings, LLC

**Parcel:** D30=003, D30=004, D30=006

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The applicant seeks improvement plan approval under the subdivision (plat) process and favorable recommendation from the City of Wildwood Planning and Zoning Board/Special Magistrate for the first phase of their new development, Peppertree Village, formerly known as Villages of Legacy Park.

The applicant has responded to and satisfied all comments and concerns raised at the Project Review Committee meeting. The project meets the minimum requirements of the Land Development Regulations and the Project Review Committee recommended the Project be placed on the Planning and Zoning Board agenda for consideration.

**Staff recommends that the Planning & Zoning Board forward a recommendation to the City Commission for approval of the site plan**, subject to approval, exemption or permitting of the project by all agencies of competent jurisdiction.

Under subsection 1.7 (B)(1) of the Land Development Regulations (LDRs), the Planning and Zoning Board/Special Magistrate has a duty to make a recommendation to the City Commission on all proposed preliminary plans under the subdivision process in accordance with the procedure outlined in subsection 1.14 (B)(4)(b) and the criteria for the approval of preliminary plans as defined in section 5.4 of the LDRs.

This office has duly noticed this meeting as prescribed by City of Wildwood Code for PUBLIC NOTICES. Notice has been posted on the notice board at City Hall and on the bulletin board at the Wildwood Post Office. A notice of this meeting was published in a newspaper of general circulation (Daily Commercial) on Friday, July 26, 2013.

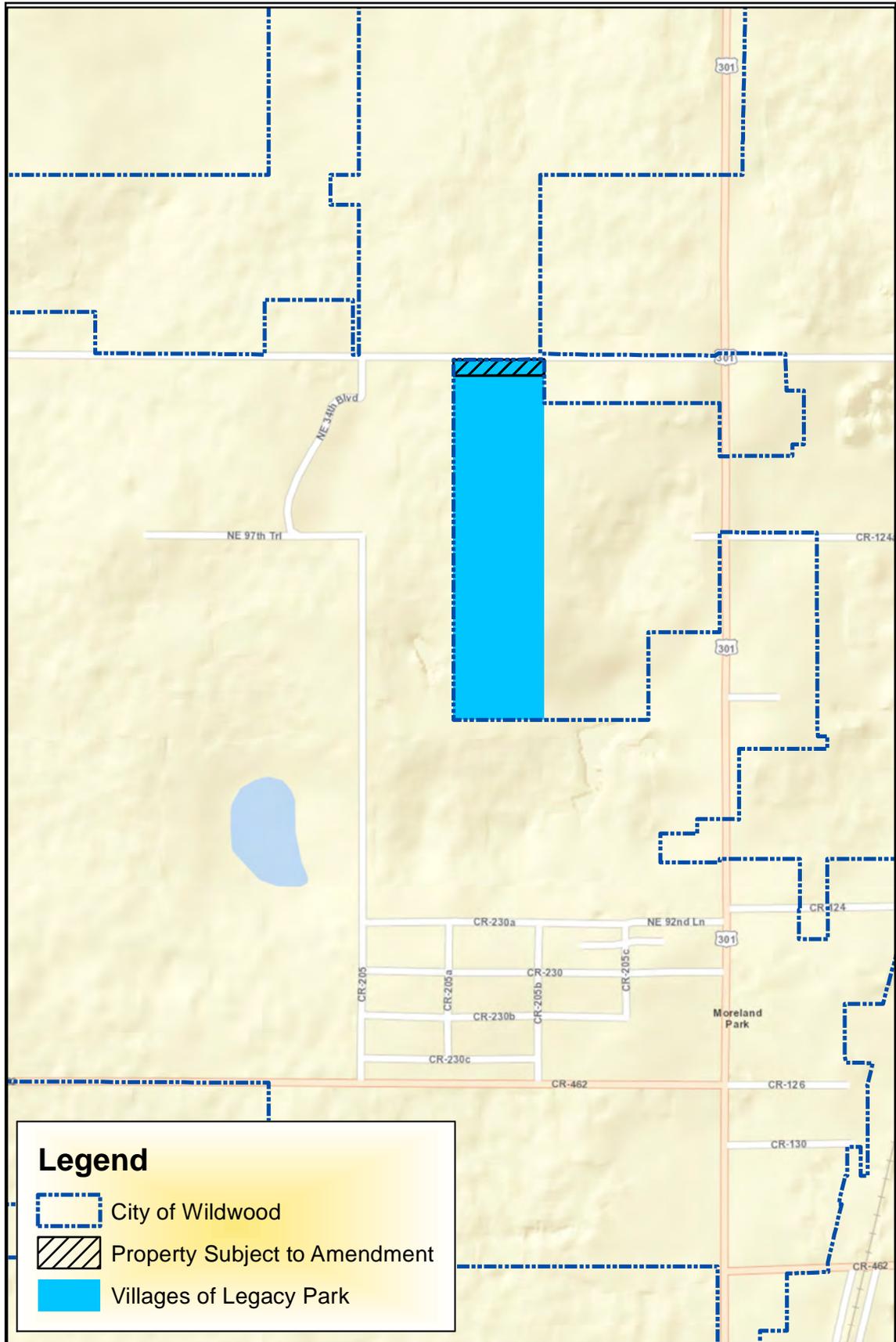


DATED: July 31, 2013

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Melanie D. Peavy  
Development Services Director

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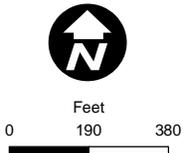


**Legend**

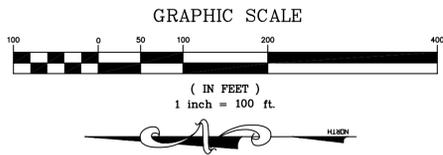
-  City of Wildwood
-  Property Subject to Amendment
-  Villages of Legacy Park



City of Wildwood  
 100 North Main Street  
 Wildwood, FL 34485  
 Phone: (352) 330-1330  
 www.wildwood-fl.gov



<b>LOCATION MAP</b>	
<b>VILLAGES OF LEGACY PARK WILDWOOD, FLORIDA</b>	
MARCH 2013	

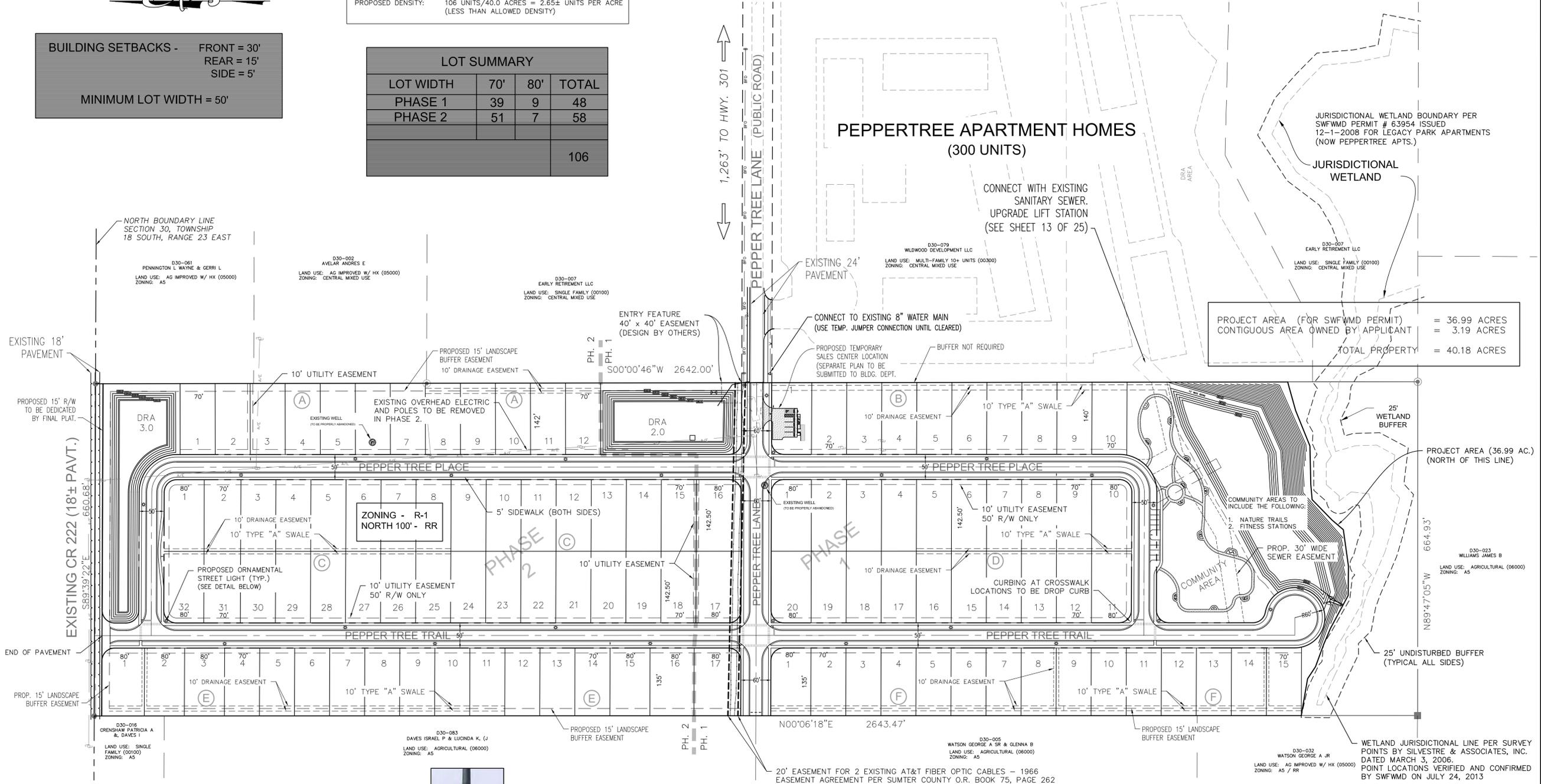


← US HWY. 301 (4 LANES) →

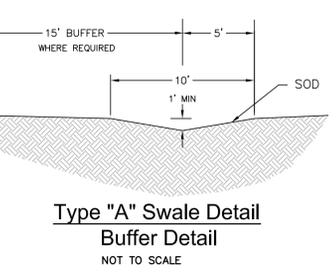
ALLOWABLE DENSITY: 4 UNIT PER ACRE  
 TOTAL LOTS: 106  
 PROPOSED DENSITY: 106 UNITS/40.0 ACRES = 2.65± UNITS PER ACRE (LESS THAN ALLOWED DENSITY)

**BUILDING SETBACKS -** FRONT = 30'  
 REAR = 15'  
 SIDE = 5'  
 MINIMUM LOT WIDTH = 50'

LOT SUMMARY			
LOT WIDTH	70'	80'	TOTAL
PHASE 1	39	9	48
PHASE 2	51	7	58
			106



PROJECT AREA (FOR SWFMD PERMIT) = 36.99 ACRES  
 CONTIGUOUS AREA OWNED BY APPLICANT = 3.19 ACRES  
 TOTAL PROPERTY = 40.18 ACRES

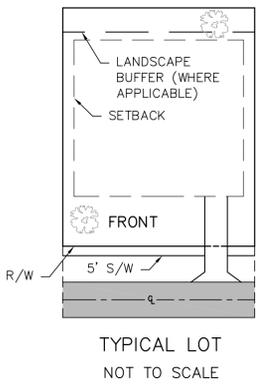


Type:	4
CU	Smooth Concrete
CU	15'CL CLTR
Material	Concrete
Color	Black
Mounted Height	12', 15', 20', 25', 29'
Mo. Rental	see note 3

Type:	F
CU	Teardrop
Color	Black
Watts (see note 1)	250 W
Lighting Pattern (see note)	3
Mo. Rental Single	see note 3
Mo. Rental Double	see note 3
Use with Pole:	4

20' EASEMENT FOR 2 EXISTING AT&T FIBER OPTIC CABLES - 1966 EASEMENT AGREEMENT PER SUMTER COUNTY O.R. BOOK 75, PAGE 262 (EASEMENT LOCATION ESTIMATED)  
 NO PERMANENT SURFACE/SUBSURFACE CONSTRUCTION ALLOWED WITHIN EASEMENT WITHOUT PERMISSION FROM AT&T.  
 CONTACT INFORMATION ON SHEET 1 (COVER SHEET)

\* = PROPOSED ORNAMENTAL STREET LIGHT - SPACED MAXIMUM 240'  
 24 PROPOSED STREET LIGHTS  
 DETAILS FURNISHED BY SECO ENERGY



MINIMUM SETBACKS - 30' FRONT  
 15' REAR  
 5' SIDES  
 FRONT SETBACK SHOULD VARY 5' TO 10' BETWEEN ADJOINING UNITS WITH NO TWO HOMES ON ADJOINING LOTS HAVING THE SAME SETBACK.  
 MINIMUM 10' WIDE CONCRETE DRIVEWAY.  
 TWO TREES PER LOT (2" DBH MIN.)  
 SEE SHEET 25 FOR LANDSCAPE BUFFER DETAILS.

Revised:	
By:	JWS
Date:	7-24-13

Scale:	1" = 100'
Project:	2012-27
Date:	10-11-12

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 Certificate No. 13-500618 - Michael W. Radcliffe P.E. - Category A, Item #2, #3000

Project Name: PEPPER TREE VILLAGE OVERALL PLAN

