



**CITY COMMISSIONERS OF THE CITY OF WILDWOOD**

**Mayor/Commissioner – Ed Wolf – Seat 1**

**Mayor Pro-Tem/Commissioner – Pamala Harrison-Bivins – Seat 2**

**Robby Strickland – Seat 3**

**Don C. Clark – Seat 4**

**Julian Green – Seat 5**

**Bill Ed Cannon – City Manager**

**Monday, July 8, 2013**

**7:00 PM**

**City Hall Commission Chamber**

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Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Department, ADA Coordinator, at 352-330-1330, Ext. 102, forty-eight (48) hours in advance of the meeting.

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F.S.S. 286.0105A - If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The City of Wildwood DOES NOT provide this verbatim record.

City Hall Commission Chamber - 100 N. Main Street, Wildwood, FL 34785

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**AGENDA**

- THE MEETING IS CALLED TO ORDER BY THE MAYOR
- INVOCATION
- FLAG SALUTE
- PLEASE TURN OFF ALL CELL PHONES AND PAGERS

**1. TIMED ITEMS AND PUBLIC HEARINGS – 7:00 PM**

- a. **PUBLIC HEARING & 2<sup>ND</sup> FINAL READING Ordinance No. O2013-21;** An Ordinance correcting scrivener's errors contained in the property description in O2011-06 for the Mills Property Annexation (parcel G04=050); repealing O2011-14 (Attachments - Staff recommends approval)
- b. **PUBLIC HEARING & 2<sup>ND</sup> FINAL READING Ordinance No. O2013-26;** An Ordinance to voluntarily annexing parcel G08=003 of approximately 3.5± acres located on Powell Road near Millennium Park, owned by Geneva Hampton and Donnie and Doris Ford pursuant to section 171.044 Florida Statutes. The property is located within the City's Joint Planning Area with Sumter County, and meets all legal requirements for annexation (Staff Recommends Approval).
- c. **PUBLIC HEARING & 2<sup>ND</sup> FINAL READING Ordinance No. O2013-27;** An Ordinance amending sections of the City of Wildwood Building Codes amending the process for determining buildings unsafe and demolition procedures providing for the City Commission to approve any repair or demolition initiated by the City (Attachments – Staff Recommends Approval)
- d. **PUBLIC HEARING & 2<sup>ND</sup> FINAL READING Ordinance No. O2013-28:** An Ordinance removing approximately 43.9 acres from the Brownwood Community Development District and adding approximately 2.5 acres to the Brownwood CDD; making the Brownwood CDD approximately 198.4-acres in size (Attachments – Staff Recommends Approval)

\* Quasi Judicial Hearing

**2. REPORTS AND PUBLIC INPUT / SPECIAL PRESENTATION(S)****a. Special Presentations**

1. Gollahon Financial Services (No Attachments)

**b. City Manager**

1. Evaluation forms – fill out and turn into the Clerk’s department during the July 22<sup>nd</sup> meeting (Packet to be handed out at meeting)

**c. City Attorney**

- 1.

**d. City Clerk**

- 1.

**e. Commission Members**

- 1.

**f. Public Forum (10 minute time limit)**

- 1.

**g. Notes and Reports**

1. None

**3. NEW BUSINESS – ACTION REQUIRED****a. MINUTES**

1. None

**b. ORDINANCES FIRST READING ONLY (READ ONLY – NO VOTE)**

1. **Ordinance No. O2013-22**; an ordinance reclassifying a portion of parcel # D17=054 containing 1.0 +/- acres (Anirudha Miryala) from Sumter County “Commercial” to City “Commercial” requiring a Small Scale Future Land Use Map Amendment to the adopted Comprehensive Plan; based on favorable recommendation by the Planning and Zoning Board/Special Magistrate acting as the Local Planning Agency, case CP 1305-01 (Attachments - Staff Recommends approval)
2. **Ordinance No. O2013-23**; an ordinance rezoning a portion of parcel # D17=054 containing 1.0 +/- acres (Anirudha Miryala) from Sumter County “CL” to City “C-3: Commercial” in conformance with the Future Land Use Map of the Comprehensive Plan; based on favorable recommendation by the Planning & Zoning Board/Special Magistrate, case RZ 1305-01 (Attachments - Staff Recommends Approval - subject to approval of Ordinance O2013-22)
3. **Ordinance No. O2013-24**; an ordinance granting a request for a residential planned development pursuant to section 8.6 of the Land Development Regulations for certain property within the City of Wildwood, owned by Mid-Florida Properties, LLC. (Attachments) **(First Reading to be continued to a date certain of September 10, 2013)**
4. **Ordinance No. O2013-25**; an ordinance granting a request for a commercial / industrial planned development pursuant to section 8.6 of the Land Development Regulations for certain property within the City of Wildwood, owned by One Hundred Oaks, LLC, based on favorable recommendation by the Planning & Zoning Board/Special Magistrate, case RZ 1306-01 (Attachments - Staff Recommends Approval subject to the requirements outlined in the Executive Summary).

5. **Ordinance No. O2013-29**; an ordinance amending section 4-5 of the City of Wildwood Code of Ordinances; providing for an exemption for sales of alcohol when a church is located on leased premises. (Staff Recommends Approval)

**c. RESOLUTIONS FOR APPROVAL**

1. **None**

**d. APPOINTMENTS**

1. **None**

**e. CONTRACTS AND AGREEMENTS**

1. Okahumpka Service Plaza Water Treatment Plant Joint Participation Agreement between Florida's Turnpike Enterprise, AREAS USA FLTP, LLC and the City of Wildwood for Utility Improvement at the Okahumpka Service Plaza (Attachments – Staff Recommends Approval)

**f. FINANCIAL**

1. Bills for Approval (Attachments – Staff Recommends Approval)
2. Kimley-Horn and Associates, Inc. Individual Project Order (IPO) No. 22 in the amount of \$64,050 for design, permitting and contract administration for the construction of a new parallel 8" water main from CR 468 to the Okahumpka Service Plaza (Attachments – Staff Recommends Approval)

**g. GENERAL ITEMS FOR CONSIDERATION**

1. Discussion on request from Grace Lutheran Church's request to provide water and sewer to 4886 C-472 in Oxford (near Lakeside Landings), the site of their new church (Attachments – Board Option)
2. **SP 1305-01 Hughes Brothers Construction Office** – Site Plan approval for a 9,600 sq. ft. construction office and shop with associated improvements and parking (Attachments - Staff Recommends Approval).
3. **SP 1305-02 Russell Stover Expansion** – Site Plan approval for demolition and a 10,852 sq. ft. building expansion for retail candy sales with associated improvements (Attachments - Staff Recommends Approval).
4. **SP 1306-01 Wildwood Entertainment Park** – Site Plan approval for an entertainment park with two mud holes for off-road vehicles, a volleyball court, a rock crawl, and a 3,414 sq. ft. concrete truck pull area (Attachments - Staff Recommends Approval subject to the requirements outlined in the Executive Summary).
5. Request from Sumter County Master Gardeners to hold annual plant sale on the paved area in front of City Hall. Event was held here last year and was very successful (Attachments – Staff Recommends Approval)

4. **ADJOURN**

**IMPORTANT DATES** (No Attachments)

- a. **July 17, 2013 – (Wednesday)** – **FIRST BUDGET SESSION** – 9:00 AM – 12:00 PM – City Hall Commission Chamber
- b. **July 22, 2013 - (Monday)** - City Commission Meeting – 7:00 PM – City Hall Commission Chamber
- c. **July 27, 2013 – (Saturday)** – “Back to School Bash” fundraiser for the Baker House – 10:00 AM – 2:00 PM – Baker House grounds – 6106 C-44A
- d. **July 22, 2013 - (Monday)** - City Commission Meeting – 7:00 PM – City Hall Commission Chamber
- e. **August 12, 2013 - (Monday)** - City Commission Meeting – 7:00 PM – City Hall Commission Chamber
- f. **August 13, 2013 – (Tuesday)** – Wildwood Springs Community Development District – Public Hearing - Adoption of Proposed FY 2014 Budget – 1:00 PM – Wildwood Community Center
- g. **August 19, 2013 – (Wednesday)** – **SECOND BUDGET SESSION** – 9:00 AM – 12:00 PM – City Hall Commission Chamber
- h. **August 26, 2013 - (Monday)** - City Commission Meeting – 7:00 PM – City Hall Commission Chamber
- i. **October 12, 2013** – (Saturday) – Oxford Fall Festival
- j. **October 19, 2013** – (Saturday) – Bushnell Fall Festival

## CITY COMMISSION OF THE CITY OF WILDWOOD

### EXECUTIVE SUMMARY

**SUBJECT:** O2013-21 – Mills Property Annexation Scriveners Errors

**PUBLIC HEARING - 2ND FINAL READING**

**REQUESTED ACTION:**

Ordinance to correct scrivener's errors in Ordinance O2011-06; repealing O2011-14 (Mills Property Annexation, parcel G04=050).

- Work Session (Report Only)
- Regular Meeting

**DATE OF MEETING:** 6/24/2013  
 Special Meeting

**CONTRACT:**

N/A

Effective Date: \_\_\_\_\_  
 Managing Division / Dept: \_\_\_\_\_

Vendor/Entity: \_\_\_\_\_  
 Termination Date: \_\_\_\_\_

**BUDGET IMPACT:** \_\_\_\_\_

- Annual
- Capital
- N/A

**FUNDING SOURCE:** \_\_\_\_\_

**EXPENDITURE ACCOUNT:** \_\_\_\_\_

### HISTORY/FACTS/ISSUES:

The legal description in Ordinance O2011-06 annexing parcel G04=050 into the City of Wildwood contains scrivener's errors. Ordinance O2011-14 was adopted in an effort to correct those errors, but this ordinance is also incorrect. Ordinance O2013-21 repeals O2011-14 in its entirety and correctly amends the legal description for parcel G04=050 that has been previously annexed into the City of Wildwood.

The deed recorded with the Clerk of Court and currently on file with the Property Appraiser's office accurately reflects the parcel's legal description and is the basis for the new legal description with additions for right-of-way takings along C-462.



Melanie D. Peavy, Director  
 Development Services Director

## PUBLIC HEARING - 2ND FINAL READING

### ORDINANCE NO. O2013-21

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, CORRECTING SCRIVENERS ERRORS CAUSED BY SCRIVENERS ERRORS CONTAINED IN THE PROPERTY DESCRIPTION IN ORDINANCE NUMBER O2011-06; HEREBY REPEALING ORDINANCE O2011-14; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ordinance O2011-06 was enacted using a property description in the ordinance; and,

WHEREAS, Ordinance O2011-14 was enacted to amend the legal description in O2011-06; and,

WHEREAS, the property descriptions provided to the City contained scriveners errors; and,

WHEREAS, all notice and other legal requirements to any property owner were met for the area, which was the correct area which would be affected by the ordinance; and,

WHEREAS, the property owner subsequently contacted the City with a corrected legal description; and,

WHEREAS, the City wishes to correct the legal description contained in Ordinance O2011-06 and repeal Ordinance O2011-14.

NOW, THEREFORE, be it ordained by the City Commission of the City of Wildwood, Florida:

SECTION 1. The City of Wildwood enacted ordinance number O2011-06 on July 11, 2011, annexing certain real property north of the City of Wildwood. Certain scriveners errors were included in ordinance number O2011-06; the legal description contained in sections one and five are repealed in their entirety and replaced as follows:

**Parcel # G04=050**  
**Benjamin T. Mills Jr. and Dixie L. Mills**  
**4.65 Acres**

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.

SECTION 2. Ordinance O2011-14 is herewith, be, and the same is hereby repealed in its entirety.

SECTION 3. Section 1-14 of the City of Wildwood code of ordinances is hereby amended to include the corrected legal description noted in section one of this ordinance.

SECTION 4. All other parts of the ordinance remain in full force and effect.

SECTION 5. All ordinances or parts of ordinances in conflict herewith, be, and the same are hereby repealed.

SECTION 6. 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 Ordinances.

SECTION 7. Effective Date. This Ordinance shall take effect immediately upon its final adoption by the City Commission.

PASSED 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

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

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

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

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

Approved as to form:

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

C:\Users\pketz\Desktop\O2013-21 correcting O2011-06 and O2011-14.doc

**CITY COMMISSION OF THE CITY OF WILDWOOD**

**EXECUTIVE SUMMARY**

**SUBJECT:** Ordinance O2013-26: Annexation of Parcel G08=003

**PUBLIC HEARING - 2ND FINAL READING**

Approval of Ordinance O2013-26

**REQUESTED ACTION:**

<input type="checkbox"/> Work Session (Report Only)	<b>DATE OF MEETING:</b>	<u>6/24/13 First Reading</u>
<input checked="" type="checkbox"/> Regular Meeting	<input type="checkbox"/> Special Meeting	<u>7/8/13 Adoption</u>

<b>CONTRACT:</b>	<input checked="" type="checkbox"/> N/A	Vendor/Entity:	_____
	Effective Date: _____	Termination Date:	_____
	Managing Division / Dept: _____		_____

**BUDGET IMPACT:** \_\_\_\_\_

<input type="checkbox"/> Annual	<b>FUNDING SOURCE:</b>	_____
<input type="checkbox"/> Capital	<b>EXPENDITURE ACCOUNT:</b>	_____
<input checked="" type="checkbox"/> N/A		

**HISTORY/FACTS/ISSUES:**

The property owners of parcel G08=003 (Geneva Hampton and Donnie and Doris Ford) have submitted a voluntary annexation application for a 3.5 +/- acre property located on Powell Road near Millennium Park.

Annexation into the City is appropriate because the property is contained within the City's Joint Planning Area with Sumter County, and the property owner is moving forward with developing the property.

The property is intended to be utilized as an Assisted Living Facility and has been given a project name of Bright Oaks. The Joint Planning Area has designated the subject property as "Low Density Residential" which is consistent with the intended use of the property.

**Staff recommends approval of Ordinance O2013-26.**



Jason McHugh  
Development Services Coordinator



PUBLIC HEARING - 2ND FINAL READING

**ORDINANCE NO. O2013-26**

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, PROVIDING FOR THE VOLUNTARY ANNEXATION OF CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 3.5 ACRES BEING GENERALLY LOCATED ON THE WEST SIDE OF POWELL ROAD AND SOUTH OF HUEY STREET; IN SECTION 8, TOWNSHIP 19 SOUTH, RANGE 23 EAST; WHICH IS CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF WILDWOOD, FLORIDA; PROVIDING THAT SECTION 1-14 OF THE CITY OF WILDWOOD CODE OF ORDINANCES IS AMENDED TO INCLUDE THE ANNEXED PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

Now, therefore, **BE IT ORDAINED** by the City Commission of the City of Wildwood, Florida:

**SECTION 1.** Based upon the petition of the owners of the following described real property, which is generally located on the west side of Powell Road and the south of Huey Street, to be annexed into the City the property is hereby annexed into the City of Wildwood pursuant to Section 171.044, Florida Statutes. The City Commission finds that the property is located within the City’s Joint Planning Area with Sumter County, is contiguous to the municipal limits of the City of Wildwood, and meets all legal requirements for annexation. The annexed property lying in Sumter County, Florida owned by Geneva M. Hampton, Donnie L. Ford, and his wife Doris Marie Ford is more particularly described as follows:

**Portion of 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.

**SECTION 2.** All of the above described annexed property shall liable for its proportionate share of the future and existing indebtedness of the City of Wildwood.

**SECTION 3.** All of the above described annexed property shall be subject to the laws and ordinance of the City of Wildwood as if this territory had been a part of the City of Wildwood at the time of passage and approval of said laws and ordinances.

**SECTION 4.** Until such time as the City amends its comprehensive plan, the current Sumter County zoning classification and future land use regulations will remain in full force and effect.

**SECTION 5.** Section 1-14 of the City of Wildwood Code of Ordinances is hereby amended to include the legal description of the annexed parcel pursuant to this Ordinance.

**SECTION 6.** If any portion of this Ordinance is declared invalid for any purpose, the remaining portion shall remain valid and in full force and effect.

**SECTION 7.** This Ordinance shall take effect upon final approval by the City Commission.

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

SEAL

ATTEST:

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

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

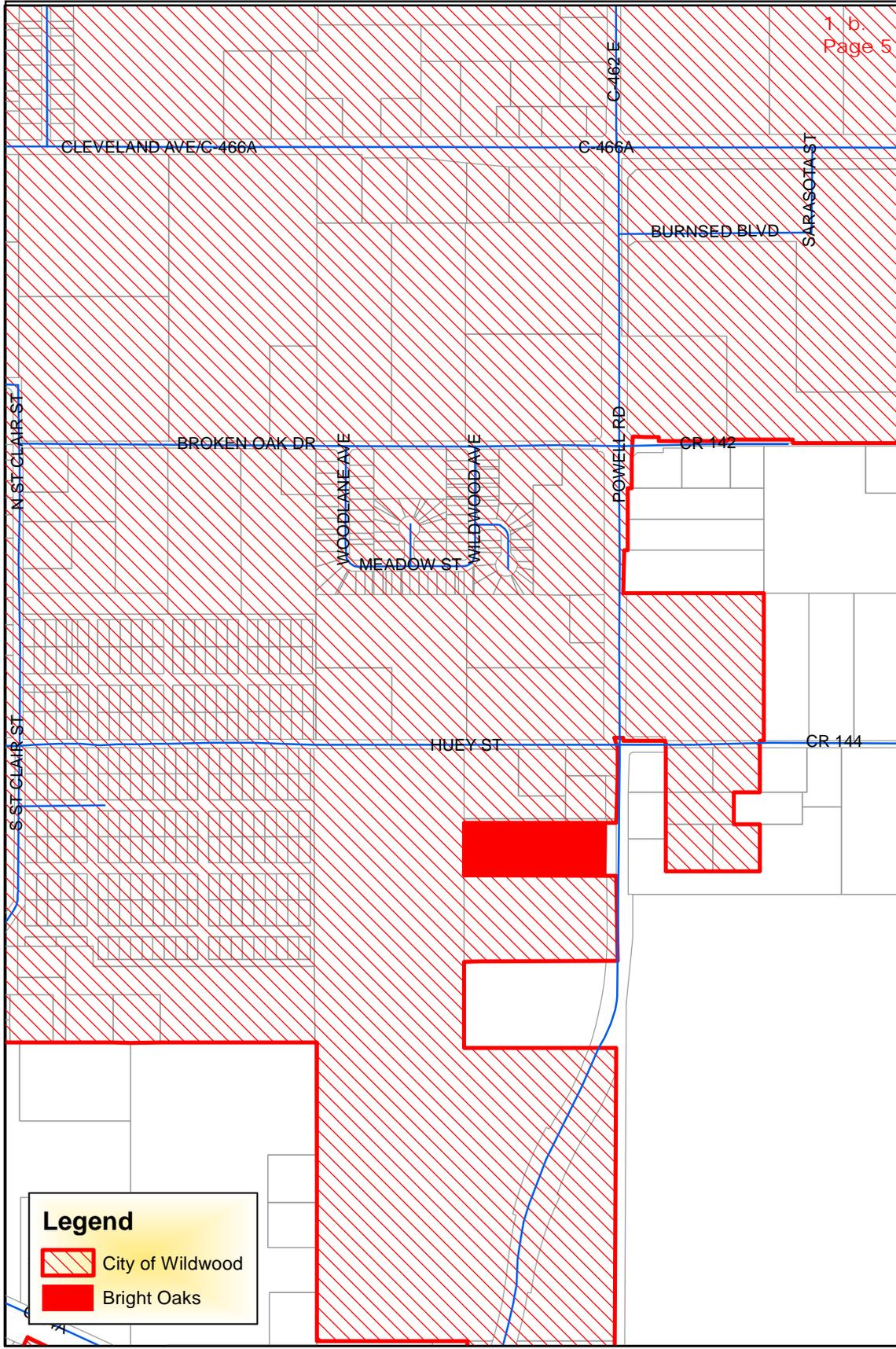
\_\_\_\_\_  
Ed Wolf, Mayor

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

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

Approved as to form:

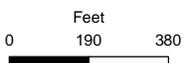
\_\_\_\_\_  
Jerri A. Blair, City Attorney



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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

June 2013

Location Map

**CITY COMMISSION OF THE CITY OF WILDWOOD**

**EXECUTIVE SUMMARY**

**SUBJECT:** Ordinance O2013-27: Building Demolitions

**PUBLIC HEARING - 2ND FINAL READING**  
Approval of Ordinance O2013-27

**REQUESTED ACTION:**

Work Session (Report Only)

**DATE OF MEETING:** 6/24/13: First Reading  
7/8/13: Adoption

Regular Meeting

Special Meeting

**CONTRACT:**

N/A

Effective Date: \_\_\_\_\_

Managing Division / Dept: \_\_\_\_\_

Vendor/Entity: \_\_\_\_\_

Termination Date: \_\_\_\_\_

**BUDGET IMPACT:** \_\_\_\_\_

Annual

**FUNDING SOURCE:**

N/A

Capital

**EXPENDITURE ACCOUNT:**

N/A

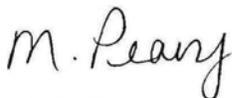
**HISTORY/FACTS/ISSUES:**

Recently, it was brought to light that demolitions of unsafe structures in the City are fully under the control of the Code Enforcement Board/Special Magistrate.

The Commission has expressed desire in salvaging buildings with historical value or value to the property owner and would like to amend the process for determining buildings unsafe and demolition procedures as outlined in the City's Code of Ordinances.

Therefore, Ordinance O2013-27 (attached) provides for removal and demolition, provides that the City Commission must approve any repair or demolition initiated by the City and provides for unsafe building abatement.

**Staff recommends approval of Ordinance O2013-27** based on direction of the City Commission.



Melanie Peavy  
Development Services Director

**ORDINANCE NO. O2013-27**

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, AMENDING SECTIONS 7-1; 7-2; 7-26; 7-27; 7-28 AND 7-29 OF THE CITY OF WILDWOOD CODE; PROVIDING FOR THE DEFINITION OF BUILDING OFFICIAL; PROVIDING THAT THIS ORDINANCE SHALL SUPERCEDE ANY APPLICABLE CODE WHEN LEGALLY PERMISSIBLE; PROVIDING FOR REMOVAL AND DEMOLITION; PROVIDING THAT THE CITY COMMISSION MUST APPROVE ANY REPAIR OR DEMOLITION BY THE CITY; PROVIDING FOR UNSAFE BUILDING ABATEMENT; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City of Wildwood, Florida, is proposing to require as follows:

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

SECTION 1. Section 7-1 of the City of Wildwood Code is amended as follows (cross throughs (-) shall indicate deletions and underlines (\_) shall indicate additions):

**Sec. 7-1. Definitions.**

When used in this chapter, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, word used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

*Building official:* The term "building official" as used in this chapter and as referred to in any standard codes adopted by this chapter is defined to mean the chief officer of the building services department of the city or his designee, or such other person who is properly qualified and designated by the City to act as its building official.

*Nuisance:* For purposes of this Code, the term "nuisance" shall be defined as provided in the standard codes adopted herein and shall also include what ever is determined to be a nuisance by the building official.

SECTION 2. Section 7-2 of the City of Wildwood Code is amended as follows (cross throughs (-) shall indicate deletions and underlines (\_) shall indicate additions):

**Sec. 7-2. Codes adopted.**

a. The following standard codes, as they may be amended from time to time, are hereby adopted and ordained as standard codes for the city:

- (1) Standard Unsafe Building Abatement Code, 1985 Edition.
- (2) Standard Existing Building Code, 1988 Edition.

b. To the extent it is legally permissible, if there is a requirement set out in this code which conflicts with that of the above referenced codes, the requirement of this ordinance shall supercede those of the applicable code.

SECTION 3. Section 7-26 of the City of Wildwood Code is amended as follows (cross throughs (-) shall indicate deletions and underlines (\_) shall indicate additions):

**Sec. 7-26. Definitions.**

The following definitions shall apply to words used in this article and the Standard Unsafe Building Abatement Code, 1985 Edition (as adopted in section 7-2 fo this chapter):

*Repair* means: ~~closing a dwelling, building or structure for (1)~~ the cleaning or removal of debris, trash and other materials present and accumulated which create a health or safety hazard in or about any dwelling, building or structure; or (2) the repair of any portion or all of the building.

*Unfit building* means, in addition to any definition of unfit building found in the Standard Unsafe Building Abatement Code, 1985 Edition:

- (1) Any dwelling, building or structure in which there is damage or deterioration of 33 percent or more of the supporting members or 50 percent or more of the non-supporting enclosing or outside walls, exclusive of the foundation.
- (2) Any dwelling, building, or structure which has visible soil erosion adjacent to or under any structural support.

SECTION 4. Section 7-27 of the City of Wildwood Code is amended as follows (cross throughs (-) shall indicate deletions and underlines (\_) shall indicate additions):

**Sec. 7-27. Removal or demolition– ~~When required.~~**

a. ~~In no event shall t~~The city may require removal or

demolition of any dwelling, building, or structure ~~except~~ upon a finding that the cost of repair, alteration, or improvement thereof exceeds one-half the value of such dwelling, building, or structure.

b. “Value” shall mean the current tax assessment value unless either the city or a person with a property interest in the building requests use of an appraisal. Any such request shall be made in writing within ten days of receiving a condemnation notice. The appraisal shall be a certified appraisal of the property in its present condition at that time. Any property owner requesting use of appraisal shall be responsible for providing a copy to the city and for the cost of the appraisal.

c. All proceedings to require removal or demolition of any dwelling, building or structure shall be required to be reviewed by the City of Wildwood code enforcement special master. The procedure shall be governed by the procedures applicable to code enforcement procedures and powers granted to the Code Enforcement Board or Special Master.

d. Anytime the city is authorized by the Code Enforcement Board or Special Master to remove or demolish a dwelling, building or structure, the City Commission must approve such removal or demolition before such removal or demolition occurs.

e. Nothing herein shall be construed to negate the ability of the City to take actions necessary in an emergency when the public health, safety or welfare is immediately at risk.

SECTION 5. Section 7-28 of the City of Wildwood Code is amended as follows (cross throughs (-) shall indicate deletions and underlines ( ) shall indicate additions):

**Sec. 7-28. ~~Same~~—Failure of owner to comply with order.**

If the owner fails to comply with any order to remove or demolish a dwelling, building, or structure, the ~~public officer~~ City may cause such dwelling, building, or structure to be removed or demolished upon compliance with the requirements of this ordinance; ~~provided, however, that the duties of the public officer, set forth in chapter 6, section 601.2.2 of the Standard Unsafe Building Abatement Code, 1985 Edition, shall not be exercised until the court, a special master, or appropriate authority, shall have ordered the public officer to proceed to effectuate the purpose of the ordinance or the Standard Unsafe Building Abatement Code with respect to the particular property or properties which the public officer shall have found to be unfit for human habitation or unfit for its current commercial, industrial, or business use.~~

SECTION 6. Section 7-29 of the City of Wildwood Code is amended as follows

(cross throughs (-) shall indicate deletions and underlines ( ) shall indicate additions):

**Sec. 7-29. Cost of abatement by public officer to constitute lien.**

The amount of the cost of such vacating and closing or removal or demolition by the City ~~public officer~~ shall be a lien against the real property upon which such cost was incurred. Said lien shall attach to the real property upon the payment of all costs of demolition by the City ~~municipality~~ and the filing of an itemized statement of the total sum of said costs by the ~~public officer~~ City in the office of the clerk of the county on a lien docket maintained by said clerk for such purposes. If the dwelling, building, or structure is removed or demolished ~~by the public officer~~, and if it is financially and reasonably feasible to do so, ~~he~~ the City may sell the materials of such dwelling, buildings, or structures. If such a sale takes place, ~~he~~ the City shall credit the proceeds of such sale against the cost of the removal or demolition and any balance remaining shall be deposited in the superior court ~~by the public officer~~, shall be secured in such a manner as may be directed by such court, and shall be disbursed by such court to the persons found to be entitled thereto by final order or decree of such court. Nothing in this article shall be construed to impair or limit in any way the power of the city to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise.

SECTION 7. All ordinances or parts of ordinances in conflict herewith, be, and the same are hereby repealed.

SECTION 8. 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 9. Effective Date. This Ordinance shall take effect immediately upon its final adoption by the City Commission.

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

SEAL

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**

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**CITY OF WILDWOOD  
EXECUTIVE SUMMARY**

**1.d.  
Page 1 of 5**

**PUBLIC HEARING - 2ND FINAL READING**

**SUBJECT:** Brownwood Community Development District Boundary Changes

**REQUESTED ACTION:** **Adoption of Ordinance No. O2013-28**

Work Session (Report Only)

**DATE OF MEETING:**

6/24/13 - First Reading  
7/8/13 - Second Reading

Regular Meeting

Special Meeting

**CONTRACT:**  N/A

Effective Date: \_\_\_\_\_

Vendor/Entity: \_\_\_\_\_

Termination Date: \_\_\_\_\_

Managing Division / Dept: \_\_\_\_\_

**BUDGET IMPACT:** N/A

Annual

Capital

N/A

**FUNDING SOURCE:**

N/A

**EXPENDITURE ACCOUNT:**

N/A

---

**HISTORY/FACTS/ISSUES:**

Pursuant to the Petition the COW executed at their June 10, 2013 meeting, the City is required to pass an Ordinance that amends the original Ordinance No. O2012-20 that created the Brownwood CDD.

Ordinance No. O2013-28 amends Ord. O2012-20, adding and deleting certain lands to amend the boundaries of the Brownwood CDD.

P. Law

---

PUBLIC HEARING - 2ND FINAL READING

1.d.  
Page 2 of 5

ORDINANCE NO. 02013-28

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WILDWOOD, FLORIDA, PROVIDING FOR AN AMENDED MAP AND LEGAL DESCRIPTION TO EFFECT A MODIFICATION TO THE BOUNDARIES OF THE BROWNWOOD COMMUNITY DEVELOPMENT DISTRICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission of The City of Wildwood adopted Ordinance Number 02012-20 on June 25, 2012 and;

WHEREAS, Ordinance Number 02012-20 established The Brownwood Community Development District (the "District"), and;

WHEREAS, the District has approved a petition to the City of Wildwood requesting that the legal description included in Exhibit "A" to Ordinance 02012-20 be amended to reflect a reduction in the size of the District of 43.9 acres, more or less, and; the addition of 2.5 acres more or less

WHEREAS, the District has filed a "Petition to Amend the Boundaries of Brownwood Community Development District (the "Petition")", pursuant to and in compliance with Section 190-046, Florida Statutes, and;

WHEREAS, in the Petition, the District requests that the City pass an ordinance amending Ordinance 02012-20, to reflect the new legal description and amended boundary of the District.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of The City of Wildwood, Florida, that Ordinance Number 02012-20 is hereby amended as follows:

SECTION 1: *Petition.* The "Petition to Amend the Boundaries of Brownwood Community Development District, as submitted to the City of Wildwood Commissioners, is hereby GRANTED.

SECTION 2: *Modification of Map and Legal Description.* Exhibit A to Ordinance Number 02012-20 is hereby stricken in its entirety and replaced by the map and legal description attached hereto and incorporated herein as "Exhibit A".

SECTION 3: *Severability.* If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity shall not effect other provisions or applications of the Ordinance which can be given the effect without the invalid provision or application, and to this end, the provision of this ordinance are declared severable.

SECTION 4. *Effective Date.* This Ordinance shall take effect July 8, 2013.

DONE AND ORDAINED this 8 day of July, 2013 at Wildwood, Sumter County, Florida.

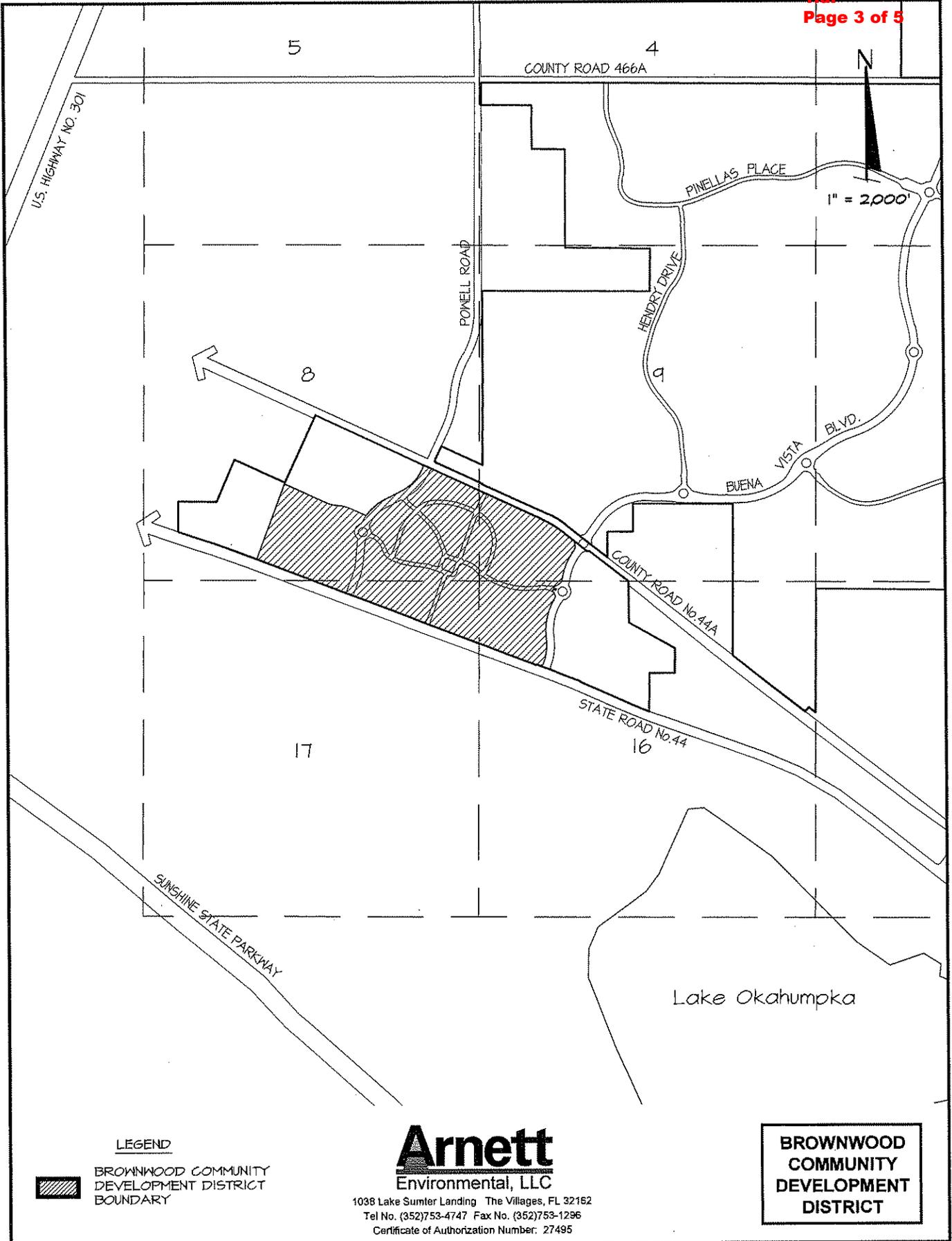
ATTEST:

WILDWOOD, FLORIDA

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

\_\_\_\_\_  
BY: Ed Wolf, Mayor

EXHIBIT A



LEGEND



BROWNWOOD COMMUNITY  
DEVELOPMENT DISTRICT  
BOUNDARY

**Arnett**  
Environmental, LLC

1038 Lake Sumter Landing The Villages, FL 32152  
Tel No. (352)753-4747 Fax No. (352)753-1296  
Certificate of Authorization Number: 27495

**BROWNWOOD  
COMMUNITY  
DEVELOPMENT  
DISTRICT**

**EXHIBIT "A"**

**DESCRIPTION OF THE AMENDED  
BROWNWOOD COMMUNITY DEVELOPMENT DISTRICT  
APPROXIMATELY 198.4**

A PARCEL OF LAND LYING WITHIN SECTIONS 8, 9, 16 AND 17, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, INCLUDING THAT PORTION OF THE CSX TRANSPORTATION RAILROAD AS SHOWN ON ATTACHMENT #2 IN THE AMENDED FINAL JUDGEMENT RECORDED IN O.R. BOOK 1993, PAGE 782; ALSO INCLUDING THAT PORTION OF RIGHT-OF-WAY FOR POWELL ROAD AS RECORDED IN O.R. BOOK 2088, PAGE 199; AND ALSO INCLUDING THAT PORTION OF PARCEL 101A RIGHT-OF-WAY OF STATE ROAD NO. 44 AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR ROAD SECTION 18070-2518 AND DESCRIBED IN O.R. BOOK 2529, PAGE 485, ALL IN THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE WEST LINE OF THE NW1/4 OF AFORESAID SECTION 16 WITH THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 44 AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR ROAD SECTION 18070-2518; THENCE RUN SOUTHEASTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 44 TO THE WESTERLY RIGHT-OF-WAY LINE OF BUENA VISTA BOULEVARD, AS RECORDED IN OFFICIAL RECORDS BOOK 2332, PAGE 395, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE RUN NORTHERLY ALONG AFORESAID WESTERLY RIGHT-OF-WAY LINE OF BUENA VISTA BOULEVARD TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 44-A AS DESCRIBED IN O.R. BOOK 2332, PAGE 395 AND O.R. BOOK 2173, PAGE 649, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE RUN NORTHWESTERLY TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF POWELL ROAD AS DESCRIBED IN O.R. BOOK 2088, PAGE 199, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 50.00 FEET TO WHICH A RADIAL LINE BEARS N24°49'48"E; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING COURSES: RUN SOUTHEASTERLY 78.76 FEET ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 90°14'54" TO THE POINT OF TANGENCY; THENCE S25°04'43"W A DISTANCE OF 30.65 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 690.00 FEET; THENCE RUN SOUTHWESTERLY 460.02 FEET ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 38°11'57" TO THE POINT OF TANGENCY; THENCE S63°16'39"W A DISTANCE OF 330.88 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 760.00 FEET; THENCE RUN SOUTHWESTERLY 368.67 FEET ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 27°47'37"; THENCE DEPARTING SAID

RIGHT-OF-WAY ALONG A NON-TANGENT LINE RUN N66°22'30"W A DISTANCE OF 309.36 FEET; THENCE N69°21'04"W A DISTANCE OF 40.55 FEET; THENCE N75°37'23"W A DISTANCE OF 40.55 FEET; THENCE N82°26'11"W A DISTANCE OF 47.51 FEET; THENCE N86°19'02"W A DISTANCE OF 51.75 FEET; THENCE N81°27'56"W A DISTANCE OF 61.87 FEET; THENCE N75°49'16"W A DISTANCE OF 61.91 FEET; THENCE N70°02'15"W A DISTANCE OF 57.09 FEET; THENCE N65°11'41"W A DISTANCE OF 715.56 FEET; THENCE RUN SOUTHWESTERLY TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 44 AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR ROAD SECTION 18070-2518; SAID POINT LYING 1500.00 FEET NORTHWESTERLY OF (AS MEASURED ALONG SAID RIGHT-OF-WAY LINE) THE AFORESAID WESTERLY RIGHT-OF-WAY LINE OF POWELL ROAD; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 44 RUN SOUTHEASTERLY TO THE SOUTHWESTERLY CORNER OF PROPERTY DESCRIBED IN O.R. BOOK 2529, PAGE 485; THENCE CONTINUE SOUTHEASTERLY TO THE SOUTHEASTERLY CORNER OF AFORESAID PROPERTY DESCRIBED IN O.R. BOOK 2529, PAGE 485; THENCE CONTINUE SOUTHEASTERLY ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 44 TO THE POINT OF BEGINNING.

# CITY COMMISSION OF THE CITY OF WILDWOOD

## EXECUTIVE SUMMARY

**SUBJECT:** MKK Investments SSCPA, CP 1305-01

Á  
Approval of Ordinance O2013-22.

**REQUESTED ACTION:**

Work Session (Report Only)

**DATE OF MEETING:** 7/8/13 First Reading  
7/22/13 Adoption

Regular Meeting

Special Meeting

**CONTRACT:** Á  
 N/A

Effective Date: \_\_\_\_\_  
Managing Division / Dept: \_\_\_\_\_

Vendor/Entity: \_\_\_\_\_  
Termination Date: \_\_\_\_\_

Á  
Á  
**BUDGET IMPACT:**

Á  
 Annual  
 Capital  
 N/A

Á  
**FUNDING SOURCE:** \_\_\_\_\_  
**EXPENDITURE ACCOUNT:** \_\_\_\_\_

Á  
Á  
**HISTORY/FACTS/ISSUES:**

The applicant, Anirudha Miryala, seeks approval for a Small Scale Future Land Use Map Amendment to the adopted Comprehensive Plan. On June 27, 2013 the case was heard before the Planning and Zoning Board/Special Magistrate acting as the Local Planning Agency in which the Special Magistrate recommended approval of Ordinance O2013-22. **Staff also recommends approval of Ordinance #02013-22 (attached).**

Á  
The 1.0 +/- acre subject parcel is intended to be utilized as a two-story office building. The amendment is consistent with the Joint Planning Area Future Land Use Map and simply reassigns the land use of the property from Sumter County "Commercial" to City of Wildwood "Commercial." Subject to approval of this small-scale land use change approval, the applicant has submitted a rezoning application for consideration.

Á  
Staff believes a Future Land Use Map designation of "Industrial" is appropriate based on the intended use of the property and should be approved for the following reasons:

- Justification of the proposed amendment has been adequately presented;
- The proposed amendment is consistent with the goals, objectives, and policies of the comprehensive plan;
- The subject amendment does not meet the criteria of urban sprawl;
- The proposed amendment will not have an adverse effect on environmentally sensitive systems;
- 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.

Á  
Á

**City of Wildwood, Florida**  
**Planning & Zoning Board/Special Magistrate**  
**as Local Planning Agency**

The case below was heard on Thursday, June 27, 2013 by the Special Magistrate. The applicant seeks a small scale comprehensive plan amendment from County Commercial to City Commercial on 1.0 +/- acres. The site is generally located south of C-466 and west of C-106 in the Oxford area.

**Case:** CP 1305-01

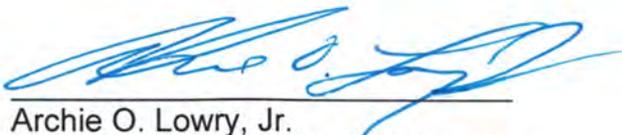
**Parcel:** D17=054

**Owner:** Anirudha Miryala

**Applicant:** Anirudha Miryala

Based upon the testimony and information presented, the Special Magistrate recommends approval of the small scale land use map amendments and favorable recommendation of Ordinance #O2013-22 to the City Commission.

**Dated:** June 29, 2013



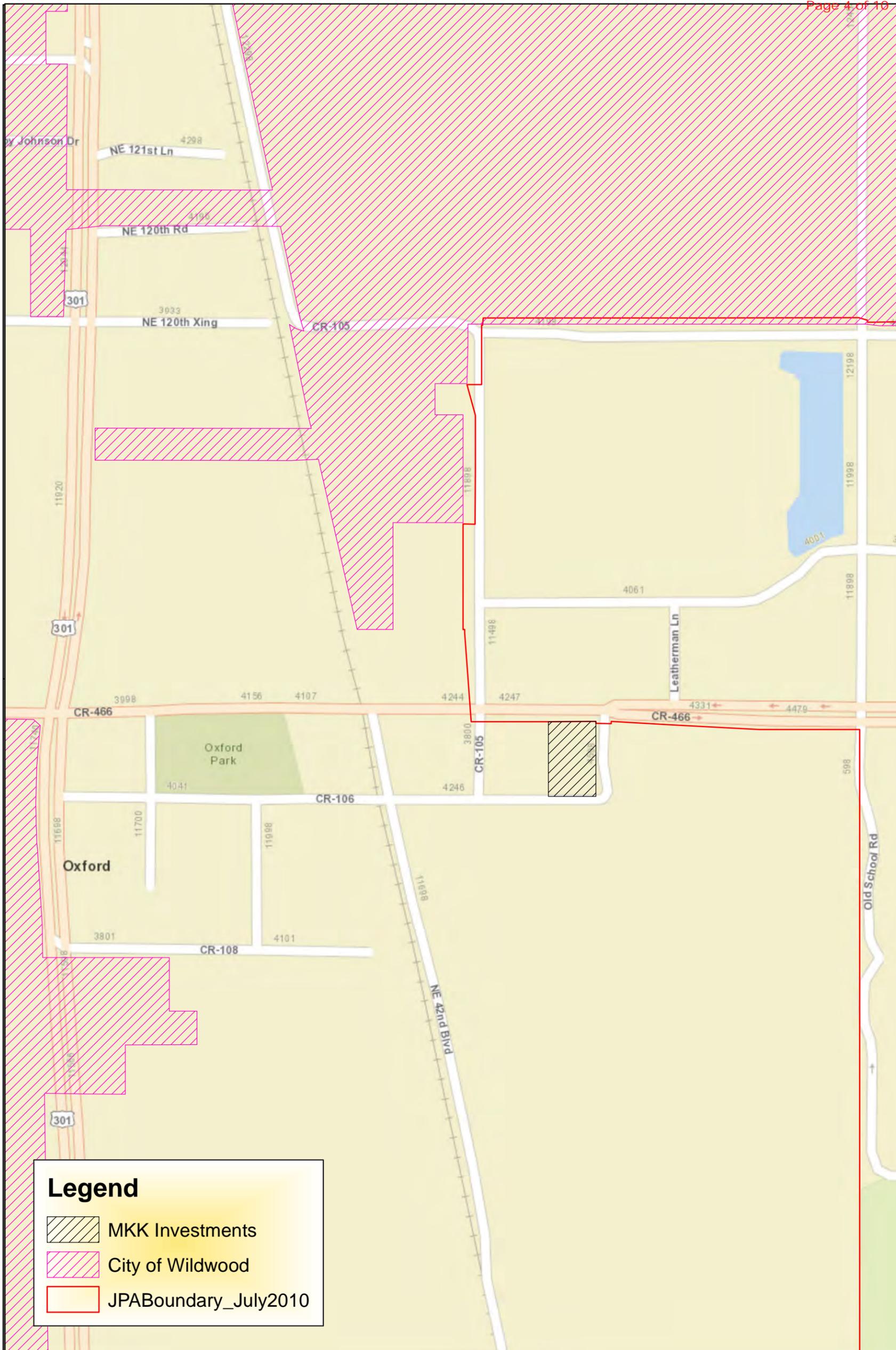
Archie O. Lowry, Jr.  
Special Magistrate City of Wildwood

The attached maps illustrate the subject parcel's relation to the surrounding area as well as the existing and proposed Future Land Use Map designations within the vicinity.

A handwritten signature in black ink that reads "Melanie D. Peavy". The signature is written in a cursive, flowing style.

Melanie D. Peavy  
Development Services Director

---



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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)

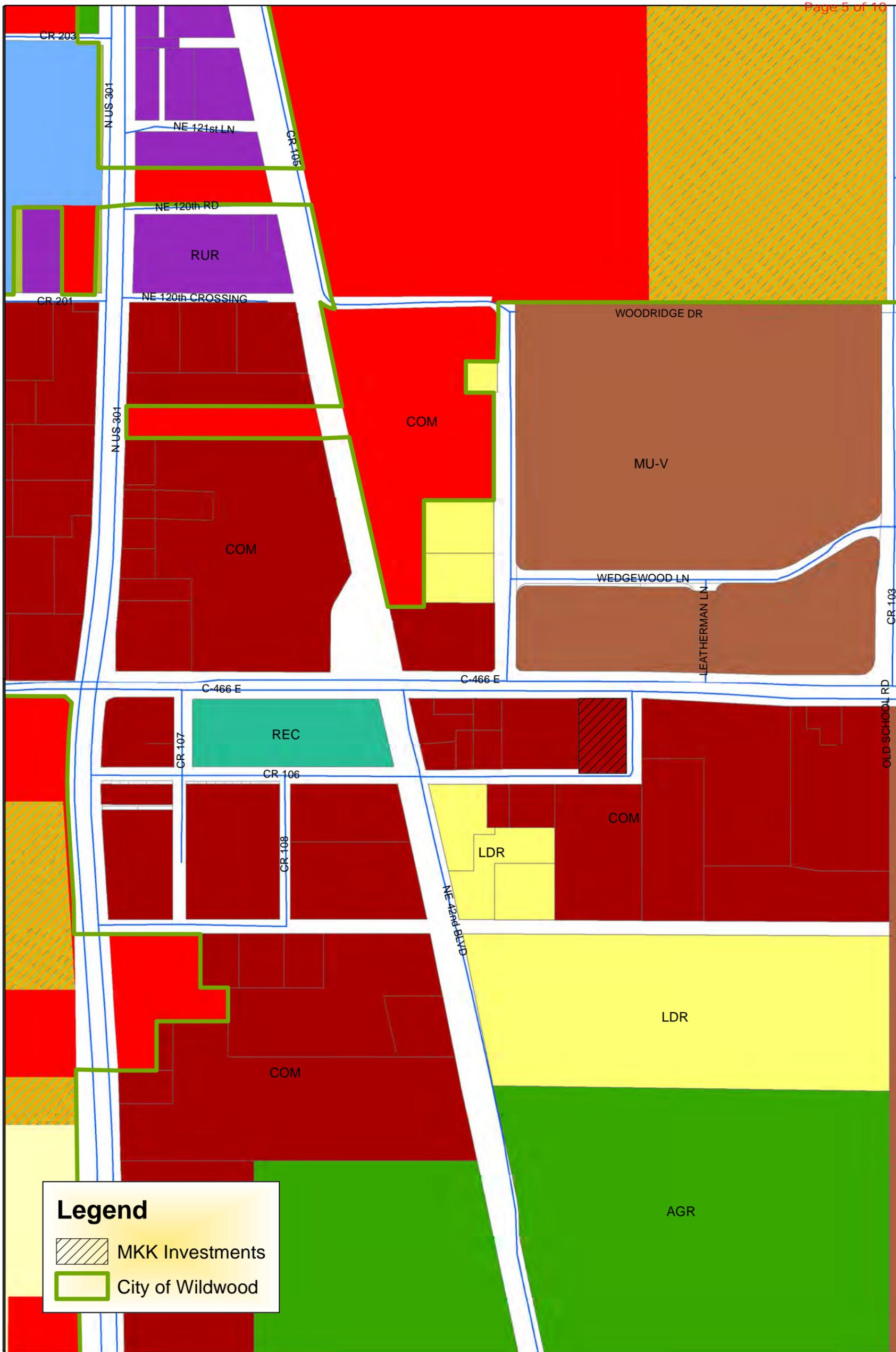


### Location Map

## MKK Investments WILDWOOD, FLORIDA

May 2013

Annexation



**Legend**

-  MKK Investments
-  City of Wildwood

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City of Wildwood  
100 North Main Street  
Wildwood, FL 34485  
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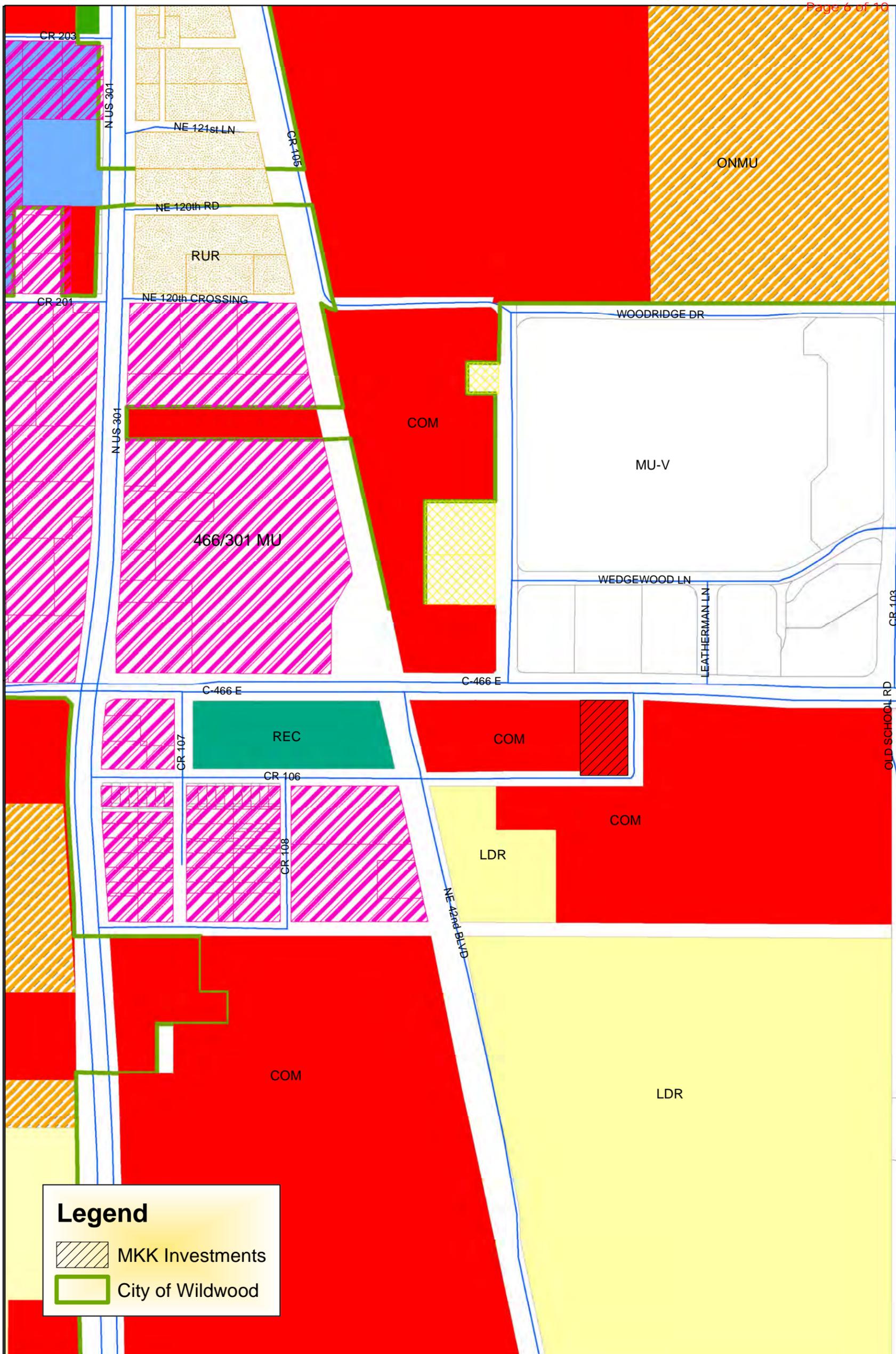
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Existing Future Land Use

**MKK Investments  
WILDWOOD, FLORIDA**

May 2013

Small Scale  
Comprehensive Plan Amendment



**Legend**

-  MKK Investments
-  City of Wildwood

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Wildwood, FL 34485  
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Joint Planning Area  
Future Land Use

**MKK Investments  
WILDWOOD, FLORIDA**

May 2013

Small Scale  
Comprehensive Plan Amendment

**ORDINANCE NO. O2013-22**

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 # D17=054**  
**1 +/- Acres**

**Legal Description**

BEGIN 86.00 FEET EAST OF THE NORTHWEST CORNER OF BLOCK E, OXFORD, AS RECORDED IN PLAT BOOK 1, PAGES 32, PUBLIC RECORDS OF SUMTER COUNTY , FLORIDA, AND RUN SOUTH 269.47 FEET, EAST 161.22 FEET, NORTH 269.45 FEET, WEST 161.22 FEET, TO THE POINT OF BEGINNING.

CONTAINING 1.0 ACRES, MORE OR LESS.

This property is to be reclassified from County comprehensive plan category "Commercial" 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: \_\_\_\_\_

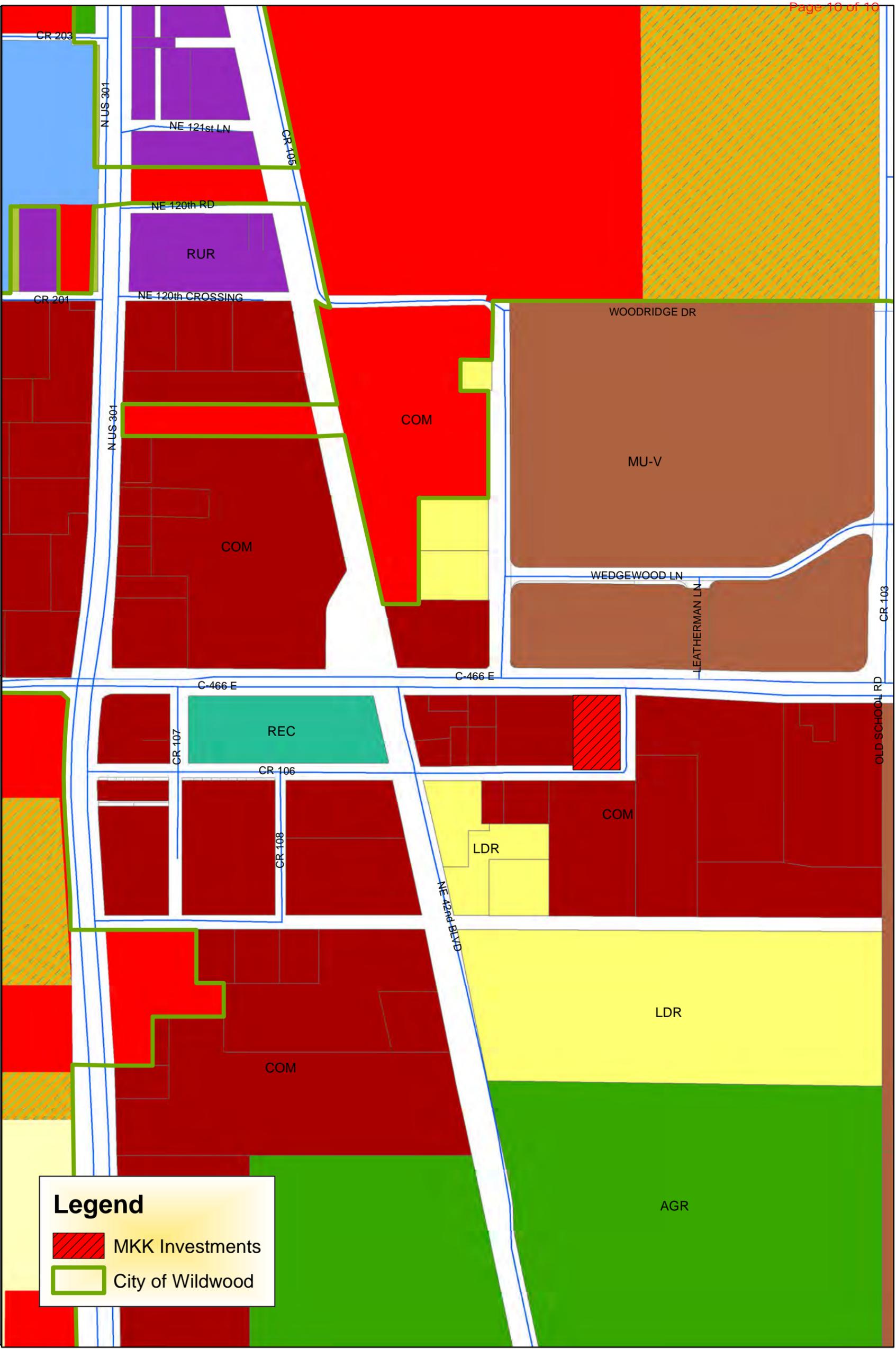
Approved as to form:

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

**Ordinance O2013-22**

**“Exhibit A”**

**MKK Investments Proposed Future Land Use Map Designation**



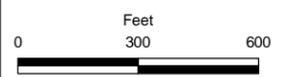
**Legend**

-  MKK Investments
-  City of Wildwood

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



**Proposed Future Land Use**

**MKK Investments  
 WILDWOOD, FLORIDA**

May 2013

Small Scale  
 Comprehensive Plan Amendment

## CITY COMMISSION OF THE CITY OF WILDWOOD

### EXECUTIVE SUMMARY

**SUBJECT:** MKK Investments Rezoning – RZ 1305-01

**REQUESTED ACTION:** Approval of Ordinance O2013-23.

Work Session (Report Only)      **DATE OF MEETING:** 7/8/13 First Reading  
7/22/13 Adoption

Regular Meeting       Special Meeting

**CONTRACT:**  N/A      Vendor/Entity: \_\_\_\_\_  
Effective Date: \_\_\_\_\_      Termination Date: \_\_\_\_\_  
Managing Division / Dept: \_\_\_\_\_

**BUDGET IMPACT:** \_\_\_\_\_

Annual      **FUNDING SOURCE:** \_\_\_\_\_  
 Capital      **EXPENDITURE ACCOUNT:** \_\_\_\_\_  
 N/A

### HISTORY/FACTS/ISSUES:

The applicant, Anirudha Miryala, seeks approval from the City Commission for a rezoning from Sumter County "CL" to City of Wildwood "C-3: General Commercial – Highway."

The 1.0 +/- acre subject parcel is located south of C-466 and west of C-106 in the Oxford area. The property is subject to a concurrent Small Scale Comprehensive Plan amendment to change the future land use to City "Commercial". The requested zoning of "C-3: General Commercial – Highway" would bring the property into compliance with the proposed Future Land Use Map designation.

**Staff recommends approval of Ordinance #02013-23 subject to approval of Ordinance O2013-22, which establishes a future land use appropriate to the proposed zoning.**

Case RZ 1305-01 was considered by the Planning & Zoning Board/Special Magistrate on Thursday, June 27, 2013. The Planning & Zoning Board/Special Magistrate gave a favorable recommendation of the rezoning to the City Commission.



Melanie D. Peavy  
Development Services Director

**City of Wildwood**  
**Planning & Zoning Board/Special Magistrate**

The case below was heard on Thursday, June 27, 2013 by the Special Magistrate. The applicant seeks approval and favorable recommendation from the City of Wildwood Planning and Zoning Board/Special Magistrate for a Zoning Map Amendment from Sumter County "CL" to City "C-3: General Commercial – Highway" for parcel D17=054 on 1.0 +/- acres. The site is generally located south of C-466 and west of C-106 in the Oxford area.

**Case:** RZ 1305-01

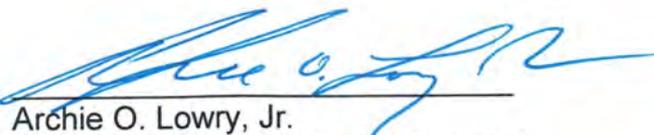
**Parcel:** D17=054

**Owner:** Anirudha Miryala

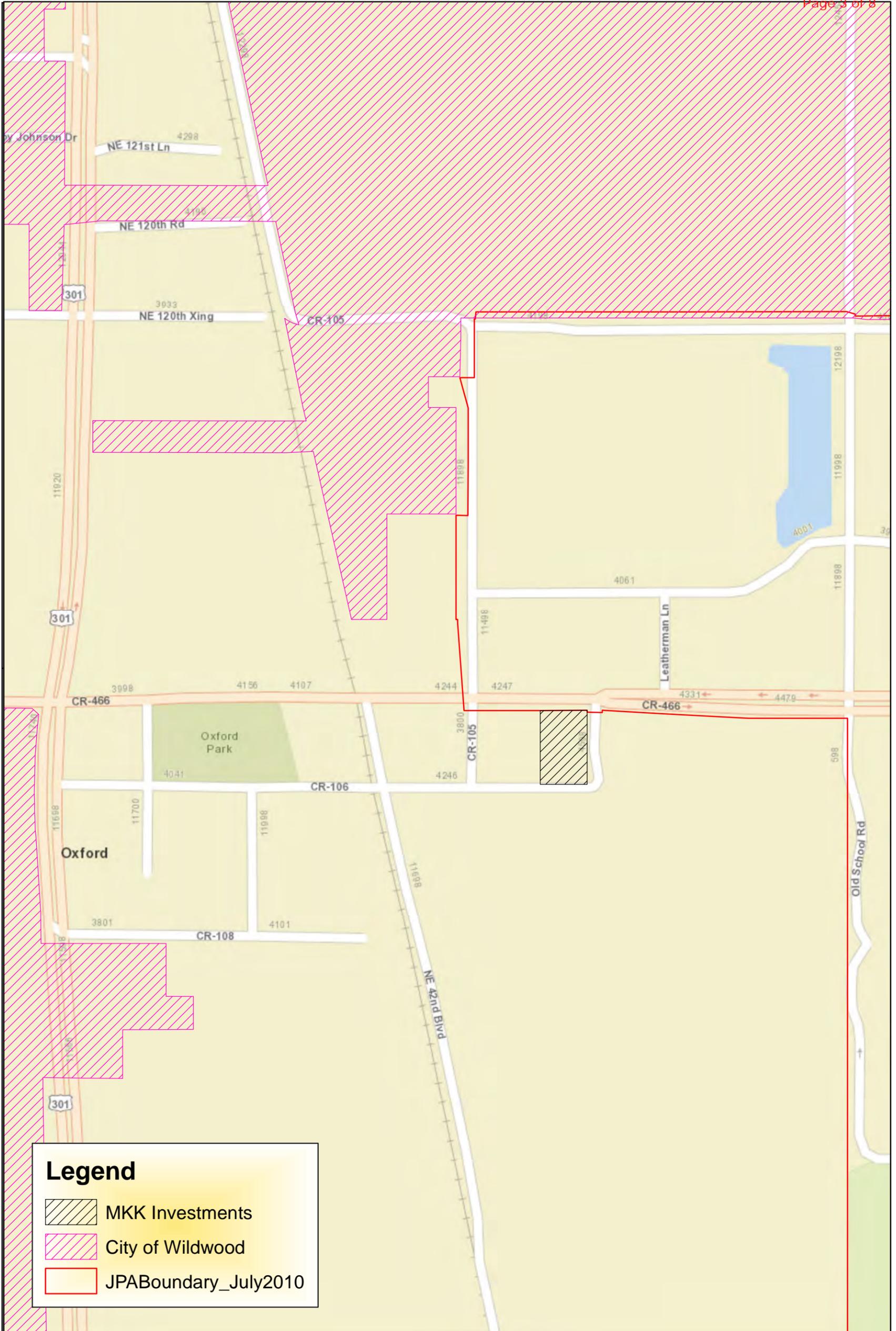
**Applicant:** Anirudha Miryala

Based upon the testimony and information presented, the Special Magistrate recommends approval of the Zoning Map Amendment and favorable recommendation of O2013-23 to the City Commission.

**Dated:** June 29, 2013



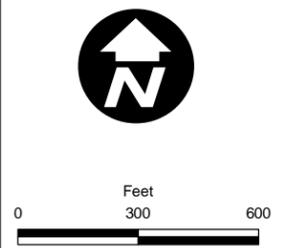
Archie O. Lowry, Jr.  
Special Magistrate City of Wildwood



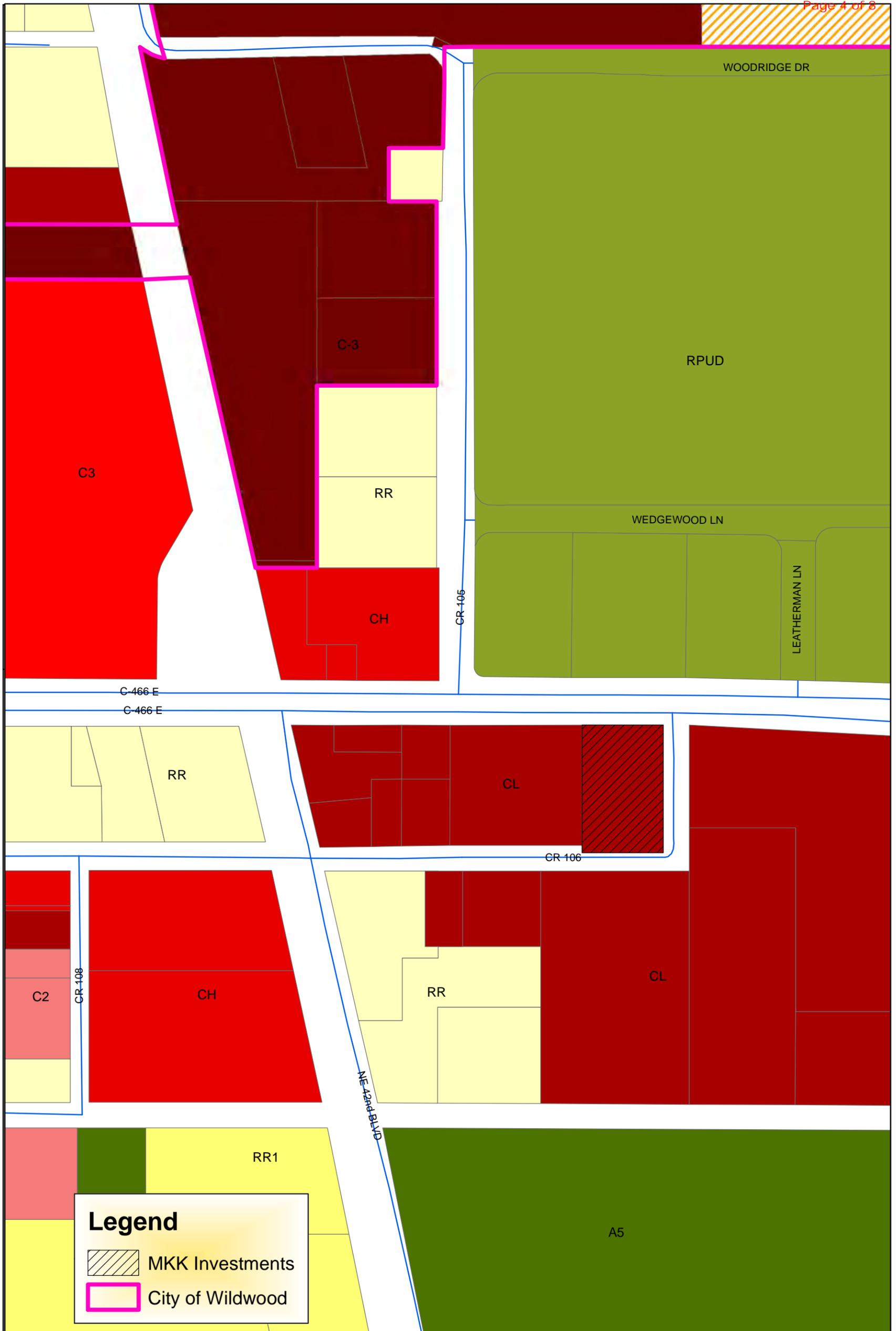
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City of Wildwood  
 100 North Main Street  
 Wildwood, FL 34485  
 Phone: (352) 330-1330  
 www.wildwood-fl.gov



<b>Location Map</b>	
<b>MKK Investments WILDWOOD, FLORIDA</b>	
May 2013	Annexation



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



Feet  
0 300 600

**Existing Zoning**

**MKK Investments  
WILDWOOD, FLORIDA**

May 2013

Rezoning

**ORDINANCE NO. O2013-23**

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 # D17=054**  
**1 +/- Acres**

**LEGAL DESCRIPTION**

BEGIN 86.00 FEET EAST OF THE NORTHWEST CORNER OF BLOCK E, OXFORD, AS RECORDED IN PLAT BOOK 1, PAGES 32, PUBLIC RECORDS OF SUMTER COUNTY , FLORIDA, AND RUN SOUTH 269.47 FEET, EAST 161.22 FEET, NORTH 269.45 FEET, WEST 161.22 FEET, TO THE POINT OF BEGINNING.

This property is to be reclassified from County "CL" to City "C-3: General Commercial-Highway."

**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

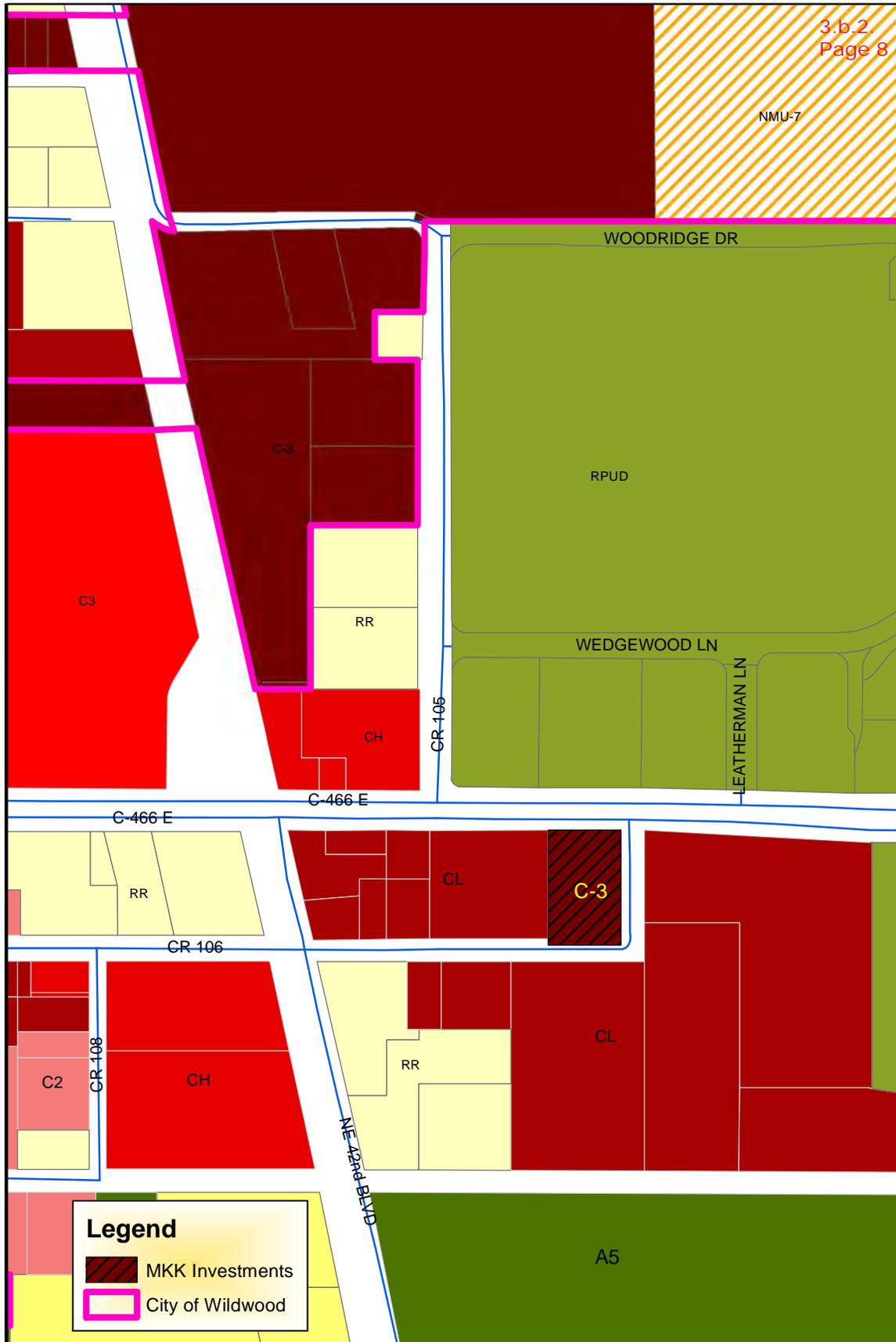
First Reading: \_\_\_\_\_

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

Approved as to form:

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

**Ordinance O2013-23**  
**“Exhibit A”**  
**MKK Investments Proposed Zoning Map**



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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

**Proposed Zoning**

**MKK Investments  
WILDWOOD, FLORIDA**

May 2013

Rezoning

# CITY COMMISSION OF THE CITY OF WILDWOOD

## EXECUTIVE SUMMARY

**SUBJECT:** Oxford Oaks Planned Development RZ 1305-02

**REQUESTED ACTION:** Consideration of Ordinance O2013-24.

<input type="checkbox"/> Work Session (Report Only)	<b>DATE OF MEETING:</b> <u>7/8/13 First Reading</u>
<input checked="" type="checkbox"/> Regular Meeting	<u>7/22/13 Adoption</u>
	<input type="checkbox"/> Special Meeting

<b>CONTRACT:</b> <input checked="" type="checkbox"/> N/A	Vendor/Entity: _____
Effective Date: _____	Termination Date: _____
Managing Division / Dept: _____	_____

**BUDGET IMPACT:** \_\_\_\_\_

<input type="checkbox"/> Annual	<b>FUNDING SOURCE:</b> _____
<input type="checkbox"/> Capital	<b>EXPENDITURE ACCOUNT:</b> _____
<input checked="" type="checkbox"/> N/A	

### HISTORY/FACTS/ISSUES:

The applicant, Mid-Florida Properties LLC by LBCV, its manager, seeks approval for a “Residential Planned Development” (RPD) zoning overlay on 218.51 acres of property zoned “R-1: Low Density Residential.” The applicant has proposed a single family residential development containing 542 units.

Pursuant to Section 8.6 of the Land Development Regulations, Ordinance O2013-24 adopts the Oxford Oaks Planned Development Agreement. The Project’s legal description and conceptual development plan have been incorporated into the Ordinance as exhibits.

Staff and the applicant have worked together to craft standards appropriate for the proposed development. There are two outstanding issues that require resolution prior to project approval, and staff is seeking direction from the City Commission.

1. The Land Development Regulations require 5ft sidewalks on both sides of the roadways within the development. The applicant has proposed sidewalks, along the main east/west boulevard and along a portion of three internal roads at the crossings and only along one side of the roadways, with the exception of the segment from US 301 heading west to the first north/south connection road. Staff strongly supports the importance of a sidewalk network within the family-oriented, residential development. Approving any residential development without requiring the sidewalks and continuous network not only does a disservice to residents but sets a precedent for future development approvals. The applicant has provided an argument in support of their request for your consideration in making a recommendation on this issue.

2. The applicant has requested that language be added to the Planned Development Agreement that the City agrees it will not construct a water tower adjacent to this Project on the City's water plant facility parcel. Staff cannot recommend restrictions on adjacent properties. There is nothing in the Land Development Regulations or Code of Ordinances that allows staff to make such a recommendation. The applicant has referred to the definition of "Tower" in the Land Development Regulations. However, the definition of "Tower" refers to a tower for wireless communications services. The Code does not define or place restrictions on the location, height, or aesthetics of any water facility. (Mid-Florida Properties has verbally agreed to take the language out of the agreement and to work on this with the Utilities Director as a separate issue).

The case (RZ 1305-02) was considered by the Planning & Zoning Board/Special Magistrate on Thursday, June 27, 2013. **The Planning and Zoning Board/Special Magistrate has recommended approval of Ordinance O2013-24** subject to the following conditions:

- The applicant must agree to sidewalks on at least one side of all internal roads of the development, and
- Removal of language referring to the water tower in the agreement (which the applicant has verbally agreed to do)

**Staff recommends approval to the City Commission of the Planned Development subject to the recommendations of the Special Magistrate.**

If approved by the City Commission, these comments will be integrated into Ordinance O2013-24.



Melanie D. Peavy  
Development Services Director

---

**City of Wildwood**  
**Planning & Zoning Board/Special Magistrate**

The case below was heard on Thursday, June 27, 2012 by the Special Magistrate. The applicant seeks approval and a favorable recommendation of Ordinance O2013-24 establishing the "Residential Planned Development" (RPD) zoning overlay for the Oxford Oaks development. The project will contain a maximum of 542 residential dwelling units. The property is generally located to the northwest of US Hwy. 301 (SR 35) and C-214.

**Case:** RZ 1305-02

**Parcels:** D18=040, D18=041, D18=064, D18=068, D18=069

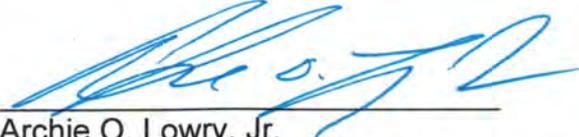
**Owner:** Mid-Florida Properties LLC by LBCV its manager

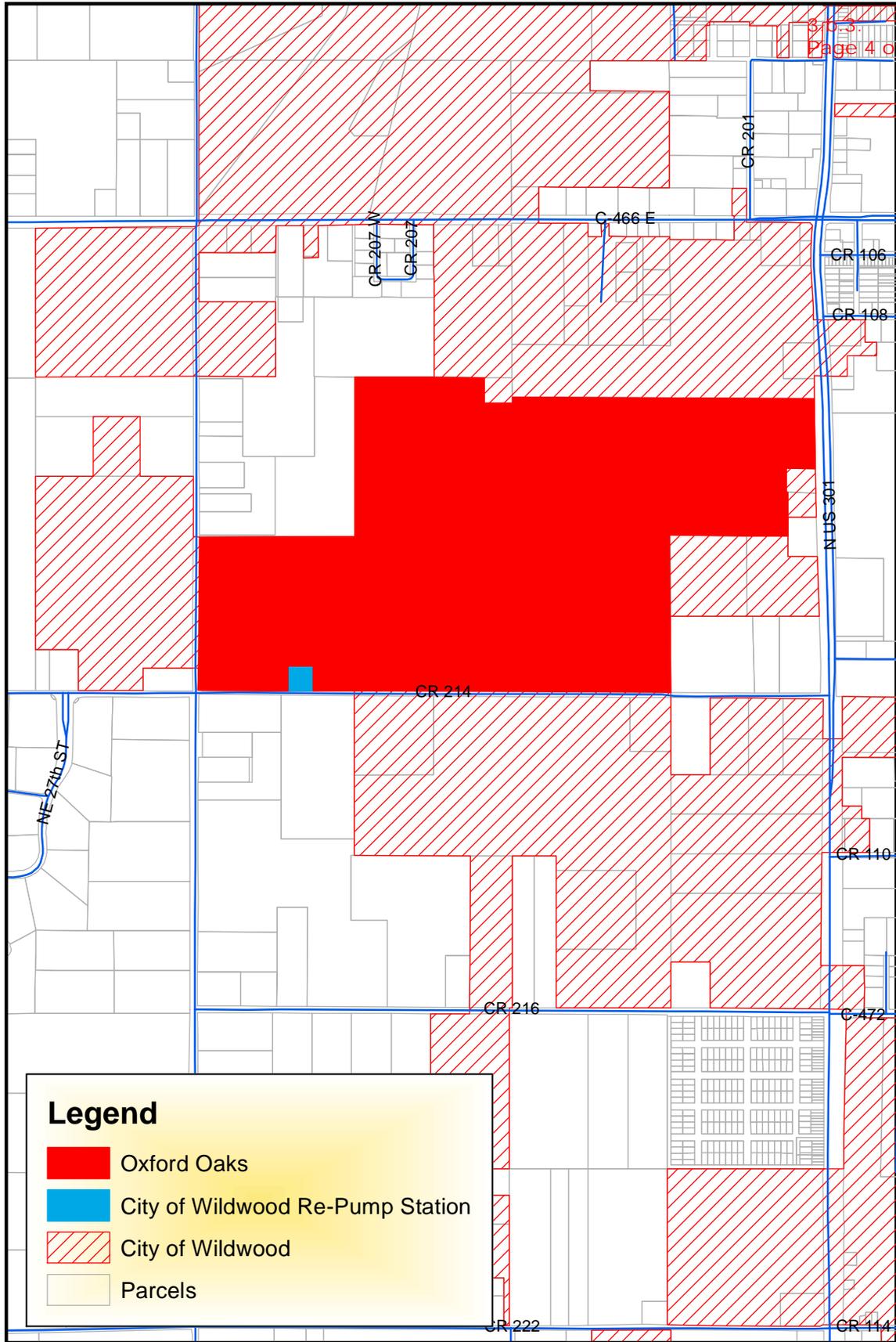
**Applicant:** Mid-Florida Properties LLC by LBCV its manager

Based upon the testimony and information presented, the Special Magistrate recommends approval of the rezoning and favorable recommendation of Ordinance O2013-24 to the City Commission, subject to addressing the following issues:

- The applicant must agree to sidewalks on at least one side of all internal roads of the development, and
- Removal of language referring to the water tower in the agreement Owner has agreed to do so) which the applicant has already agreed to do)

Dated: June 29, 2013

  
\_\_\_\_\_  
Archie O. Lowry, Jr.  
Special Magistrate City of Wildwood



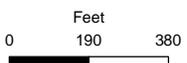
**Legend**

- Oxford Oaks
- City of Wildwood Re-Pump Station
- City of Wildwood
- Parcels

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

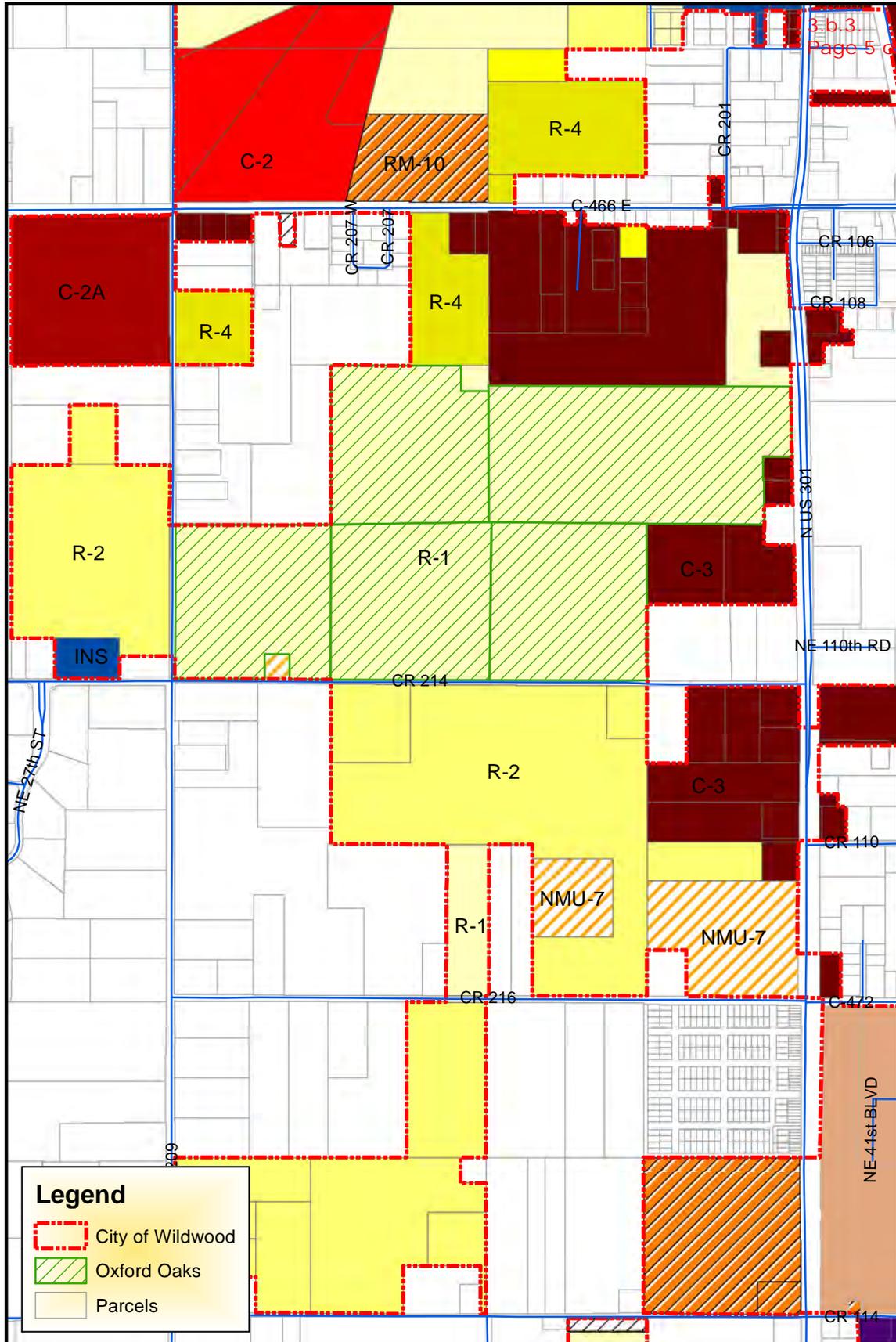


**OXFORD OAKS**

**WILDWOOD, FLORIDA**

JUNE 2013

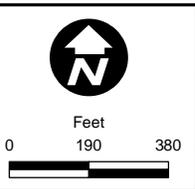
LOCATION MAP



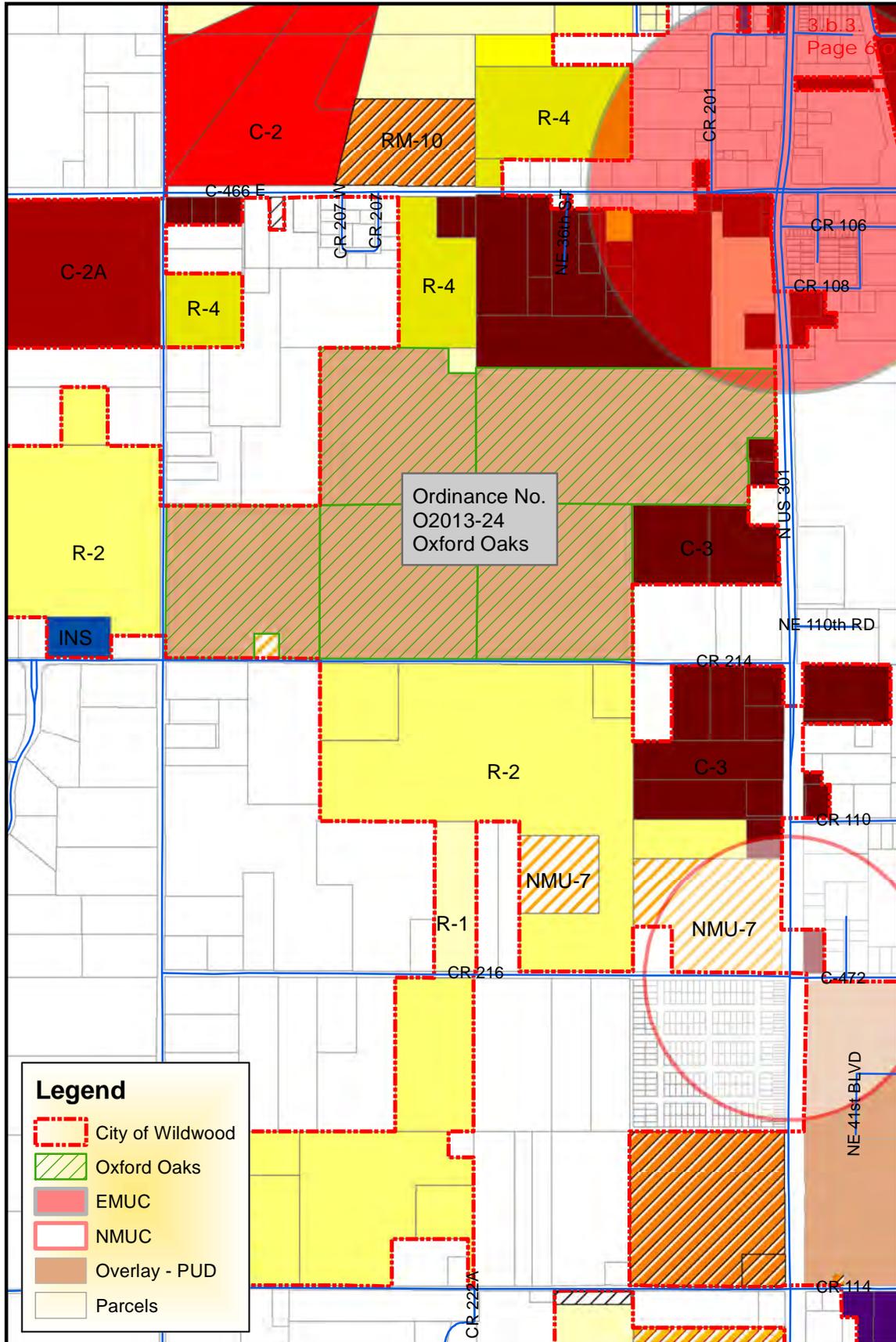
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City of Wildwood  
100 North Main Street  
Wildwood, FL 34485  
Phone: (352) 330-1330  
www.wildwood-fl.gov



<b>OXFORD OAKS</b>	
<b>WILDWOOD, FLORIDA</b>	
JUNE 2013	EXISTING ZONING



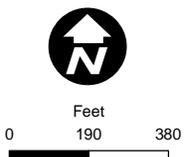
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**Legend**

- City of Wildwood
- Oxford Oaks
- EMUC
- NMUC
- Overlay - PUD
- Parcels



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



<b>OXFORD OAKS</b>	
<b>WILDWOOD, FLORIDA</b>	
JUNE 2013	Proposed Zoning Overlay



VIA HAND DELIVERY

June 19, 2013

Mr. Paul Ketz  
City of Wildwood  
100 N. Main Street  
Wildwood, Florida 34785

RE: **OXFORD OAKS - ENGINEERING JUSTIFICATION FOR NO SIDEWALKS ON LOCAL RESIDENTIAL STREET (FBA # 921141.2680)**

Dear Mr. Ketz:

Due to the unique and moderately steep slopes on the project, unusual for properties within the City of Wildwood, sidewalks on the local subdivisions streets would present an undesirable condition and safety issue for the residents living in the proposed community. If sidewalks were constructed 5' off the right-of-way it would create very short (23') driveways and slopes in excess of 10% on the driveways creating an unsafe conditions for residents. In addition to the safety concerns, sidewalks would also force the developer to construct 2 to 3 steps in the garages to the finished floor of the homes and would require longer garages to accommodate these steps resulting in less rear yard and this creates an undesirable and unmarketable condition for "family" type housing.

Attached are several sections illustrating the difference in construction with sidewalks and without sidewalks. Section B illustrates the very steep unsafe driveway conditions with a 5' sidewalk constructed in the right-of-way. It also shows the requirements for steps in the garages in order to properly drain the rear yards and limit the driveway slopes to a maximum 10% grade. Sidewalks would also force developer to build the majority of the homes with stemwall type construction and limit the amount homes that could be constructed with conventional wood frame construction, thus increasing the cost of home construction.

Section A illustrates the home construction without sidewalks and shows the driveways at a gentle slope and no steps required in the garage. Additionally, please note this also allows the developer to construct with monolithic type home construction and would not limit the amount of conventional wood frame constructed homes keeping it affordable for family housing.

Also, attached is Exhibit B that shows where the developer will construct sidewalks to connect the various neighborhoods to the 60' roadway and all the common areas within the development.

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

Sincerely,  
FARNER, BARLEY & ASSOCIATES, INC.

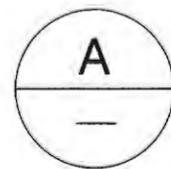
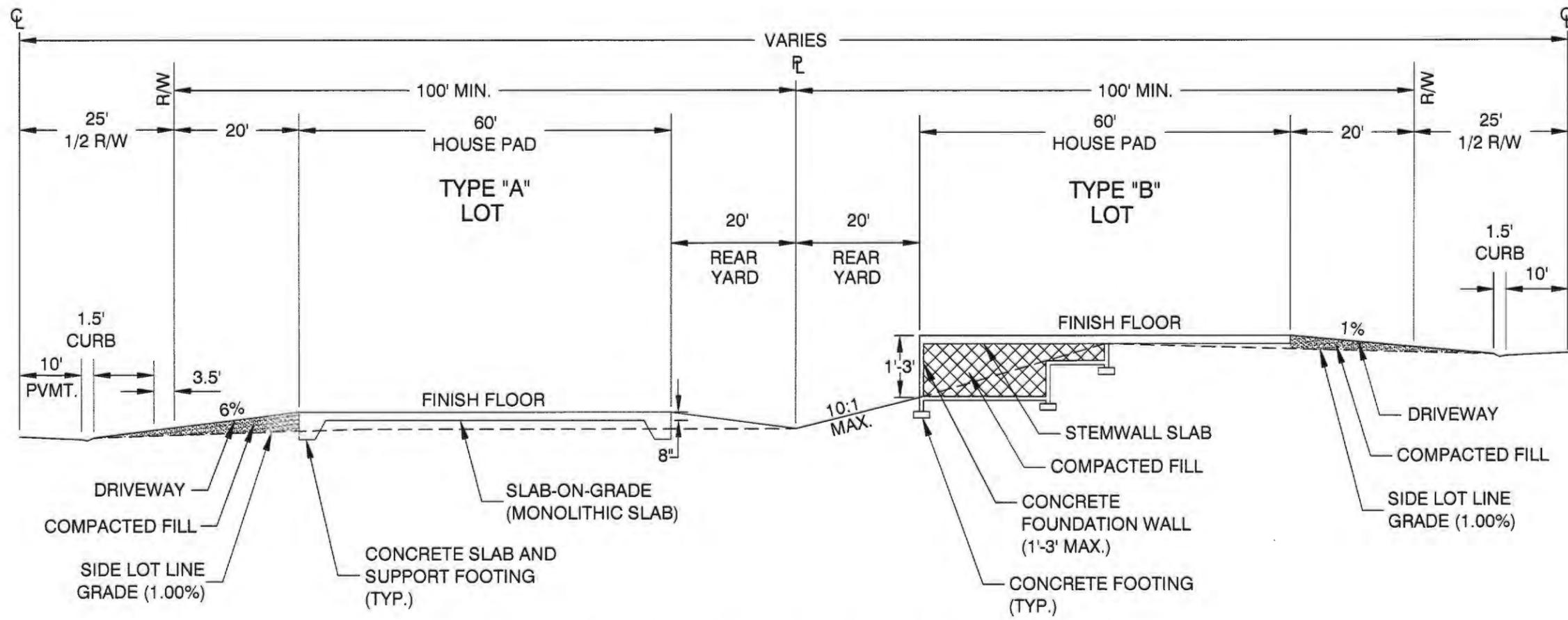
  
Jeffrey A. Head, P.E.

Sincerely,  
FARNER, BARLEY & ASSOCIATES, INC.

  
Troy W. Locklin, Project Manager  
JAH/TWL/bw  
Enclosures

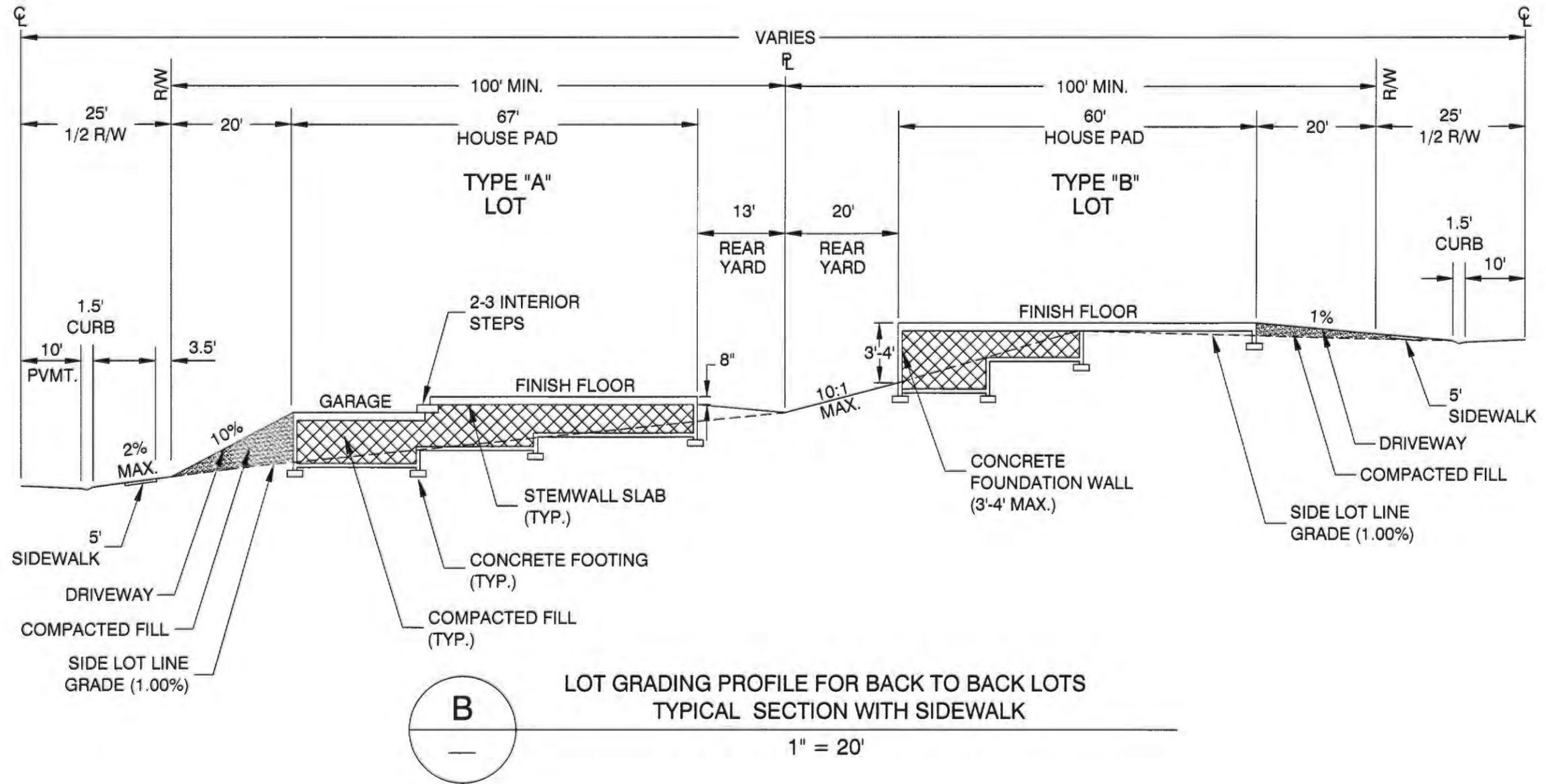
cc: Mr. Marty Dzuro, Mid Florida Properties (w/encl.)





LOT GRADING PROFILE FOR BACK TO BACK LOTS  
TYPICAL SECTION WITHOUT SIDEWALK

1" = 20'



**ORDINANCE NO. O2013-24**

**AN ORDINANCE OF THE CITY OF WILDWOOD GRANTING A REQUEST FOR A RESIDENTIAL PLANNED DEVELOPMENT PURSUANT TO SECTION 8.6 OF THE LAND DEVELOPMENT REGULATIONS. FOR CERTAIN PROPERTY WITHIN THE CITY OF WILDWOOD, FLORIDA; OWNED BY MID-FLORIDA PROPERTIES, LLC; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

The application filed by Mid-Florida Properties, LLC (hereinafter referred as the, "Developer") for a Planned Development was heard by and before the City Commission, Wildwood, Florida on this \_\_\_\_\_ day of \_\_\_\_\_ 2013. Based upon the verified application and supporting documents, analyses, maps, charts, other evidence and instruments, the advice, report and recommendations of the Project Review Committee and the testimony adduced and evidence received at the Public Hearing by the Planning and Zoning Board on \_\_\_\_\_, 2013 and otherwise being fully advised, the City Commission does hereby find and determine as follows:

**SECTION 1: GENERAL FINDINGS**

- A. That the Mid-Florida Properties, LLC Planned Development Application (hereinafter referred to as the "Project") was duly and properly filed herein on May 30, 2013.
- B. That all fees required to be borne and paid by the Developer have been paid in accordance with the City of Wildwood Fee Schedule.
- C. That the Developer intends to develop a Project consisting of 218.5 acres, more or less, which is situated in Wildwood, Florida. This land is legally described in "Exhibit A" attached hereto.
- D. That the Developer has complied with the conceptual development plan provision as required by Section 8.4 of the Land Development Regulations.
- E. That the City has complied with the due notice requirements of subsection 3.3(B)(3) of the Land Development Regulations.

**SECTION 2: FINDINGS REGARDING PLANNED DEVELOPMENT OVERLAY**

- A. That the Applicant has applied for a Residential Planned Development (RPD) of the lands described in "Exhibit A".

- B. That the zoning district of the subject land described in “Exhibit A” is classified as Low Density Residential (R-1) on the City of Wildwood Zoning Map.
- C. That the Project is consistent with both the City of Wildwood Comprehensive Plan, the intent and purpose of the City of Wildwood Land Development Regulations, and does promote the public health, safety, morals, welfare, and orderly growth of the City of Wildwood.
- D. That the City of Wildwood Land Development Regulations are consistent with the provisions of the “Planned Development Agreement” as hereinafter set forth in Section 3 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.
- E. This Ordinance shall become effective immediately upon its approval and adoption by the City Commission.

### **SECTION 3: PLANNED DEVELOPMENT AGREEMENT: GENERAL PROVISIONS**

- A. Development Concept. The Project shall be developed as a Residential Planned Development substantially in accordance with this Ordinance. This Residential Planned Development Agreement shall govern the development of the Project.
- B. Conceptual Development Plan. The Project includes a conceptual development plan pursuant to Section 8.4 of the Land Development Regulations. The Conceptual Development Plan prepared by Farner Barley and Associates, Inc. dated \_\_\_\_\_, 2013 is incorporated into this Ordinance as “Exhibit B” attached hereto. The conceptual development plan is substantially consistent with City of Wildwood Comprehensive Plan.
  - 1) The conceptual development plan illustrates the general location of the following land uses:
    - a. Single Family Residential;
    - b. Common areas and buffer easements (open spaces);
    - c. Recreational (Parks and open spaces).

- 2) The conceptual development plan is conceptual in nature and may be affected or modified by final zoning approval and conditions, by compensating storage capacity in flood prone areas, final wetland or protected species locations and jurisdictional boundaries, final engineering, permitting, surveys, or conservation easements.
- C. Development Program. The Project shall be developed in two phases. The phases are shown on “Exhibit B” Conceptual Development Plan.
- 1) Residential Development. The residential component of the Project shall contain no more than 540 single family detached housing units and at least one (two dwelling units) single family attached housing unit.
  - 2) Maximum Development Potential. Residential development within the Project shall not exceed 4 dwelling units/acre. The maximum number of residential units in the Project is 542.
- D. Amendments. The Development Services Director, or designee, shall have the authority to approve non-substantial changes to the conceptual development plan without a public hearing. The determination of what constitutes a non-substantial change shall be at the Development Services Director’s discretion. All modifications requiring an amendment to the Planned Development Agreement shall require review and recommendation of the Planning and Zoning Board and action by the City Commission in the same manner as an Application for Planned Development.
- E. Future Approvals. After this Ordinance is recorded, and prior to any construction occurring, subdivision preliminary plans and improvement plans shall be submitted for review and approval in the manner required by Chapter 5 of the Land Development Regulations.
- F. Developer’s Agreement. Prior to approval of subdivision preliminary plans, the City and the Developer agree to enter into Utility Agreement to address the provision of water and wastewater to the Project. The agreement shall also specify, among other items, the ownership and maintenance of the utilities infrastructure associated with the Project.
- G. Principal Uses. The principal use permitted within the Project is single family residential.
- H. Development Standards. Unless otherwise noted, the Project shall adhere to the zoning district standards prescribed in Chapter 3 of the Land Development Regulations for Low Density Residential (R-1).

- I. Design District Standards. Unless otherwise noted, the Project shall adhere to the Residential Design District Standards pursuant to section 6.12 of the Land Development Regulations.
- J. Recreation and Open Space. The Project shall maintain a minimum of 20% open space.
  - 1) Parks and Recreation. The Project shall contain a minimum of 9 recreational amenities for the use of the Project's residents.
    - a. Parking shall be provided for the recreation amenities as shown on "Exhibit B."
    - b. Parking spaces for recreational amenities may be a minimum of ten (10) feet wide and eighteen (18) feet deep when fronting a landscaped area or 7' sidewalk.
  - 2) Buffers and Setbacks.
    - a. The Project shall contain a minimum twenty (20) feet perimeter landscape buffer easement along the Project's boundary lines. The landscaping in the buffer easements will be in conformance with the buffer detail sections incorporated into this Ordinance as "Exhibit C." The required landscaping and irrigation in the buffer easement will be installed on each lot when that lot is developed. Each lot owner will be required by the Subdivision Restrictions to maintain and irrigate the landscaping in compliance with applicable standards
    - b. Single Family detached residential shall have a twenty (20) foot building setback from minor local roads, a ten (10) foot setback from the rear lot line and a zero (0) foot setback from side lot lines provided there is a minimum of ten (10) feet building separation. Single Family attached residential shall have the same building setbacks except no building separation is required on the side lot lines. Front setbacks will not vary from lot to lot.
  - 3) Open Space. Open space shall include drainage retention areas, entry feature tracts, common areas, buffer easements, recreation areas. For purposes of meeting open space requirements, 100% of the drainage retention areas (stormwater management areas) may be included in the open space calculation.
  - 4) Landscape Design. Yard and common area landscaping will be in conformance with the City of Wildwood Land Development Regulations and "Exhibit C."

K. Environmental Considerations.

All environmental considerations have been addressed in the Breedlove Dennis and Associates report submitted with the Planned Development Application.

L. Public Facilities.

- 1) Potable Water, Wastewater, and Irrigation Water. The Project shall be connected to the City's potable water and wastewater system prior to any certificates of occupancy being issued. The Project's Potable and Irrigation system shall be a single system connected to the City's potable water system. The Developer/Project will not construct a separate or dual water system for effluent (irrigation). The Developer/Project may use an existing well(s) or develop a new well(s) on the Project site to supplement the water features and irrigate the property owner's association's parks and common areas. Expansion of the City's Potable Water and Sanitary Sewer systems, including necessary utility easements, shall be negotiated by a separate Developer's Agreement between the City and the Developer. Said agreement shall specify cost, ownership and maintenance, and timetables for delivery of services. The Developer will grant the City an easement, at no cost to the City, for the existing water main along the Project's boundary as shown on "Exhibit B."
- 2) Solid Waste. Solid waste collection services shall be provided by the City or the City's contracted refuse service provider.
- 3) Stormwater. The Project shall contain a stormwater management system which meets the requirements of the Southwest Florida Water Management District, and Chapter 6, section 6.4 of the City's Land Development Regulations. Drainage retention basins will not be fenced.
- 4) Underground Utilities. All on site utilities shall be underground. Developer is responsible for running utilities underground for the Project. The City shall insure that any utilities within any public utilities easement encumbering any portion of the Project and serving lands other than the Planned Development shall be underground.
- 5) Water Towers. All water towers constructed on the Project shall meet the minimum setbacks from any residential zoning district of three (3) times the height of the installed tower. The City agrees that it will not construct a tower adjacent to this Project on the City's water plant facility parcel.

M. Access and Transportation

1) Access.

- a. Interconnectivity to the North and South. The Project is required to dedicate one (1) right of way north to the adjoining property north of the Project as shown on “Exhibit B.” Should the adjoining property be developed, the City may require any future projects North of and adjacent to this right of way to construct the improvements necessary should the City determine inter-connectivity is necessary. The Project is also required to dedicate one (1) right of way South to CR 214. The City may construct the necessary improvements when the City improves CR 214 if the City determines inter-connectivity is necessary.
- b. Gated Access. The access to the Project on the east boundary at U.S. Highway 301, and on the west at C.R. 209, and if constructed, the north and south interconnectivity may be gated with resident only gates by the Developer, or its assigns. The U.S. Highway 301 and C.R. 209 gates will open with a push button system allowing vehicular traffic to enter the Project.

2) Transportation System Improvements. There are no impacts to the transportation system as identified in the Traffic Impact Analysis submitted with the Planned Development application. The Developer will construct a northbound left turn lane on US Highway 301 as shown on “Exhibit B.”

3) Internal Roadways.

- a. Roadways and trails within the Project shall be developed in accordance with the conceptual development plan, “Exhibit B,” and the typical roadway section, “Exhibit C.” Roadways will be designed as twenty (20) mph roadways with minimum center line radii of eighty-nine (89) feet pursuant to Standards in the Florida Department of Transportation’s Manual of Uniform Minimum Standards.
- b. Intersection spacing shall be a minimum of 175’.
- c. The Project shall provide sidewalks shown on “Exhibit C.” The Project shall not provide sidewalks or multi-modal paths along County Roads 214 and 209. Sufficient right of way along C.R. 214 will be dedicated to the City as shown on “Exhibit’s B and C” so the City may construct a sidewalk should future needs warrant construction. A tract of land along County Road 209 will be

dedicated to the City as shown on “Exhibit’s B and C” so the City may construct a multi-modal path should future needs warrant construction.

- d. Golf carts may be allowed to utilize the roadways within the Project. The City shall ensure the allowance of golf carts within the Project does not present a safety concern.
- e. The roadways and road rights of way will be dedicated to the City. The City will maintain all improvements within the rights of way which include, but are not limited to, pavement, underground pipe utilities and storm drains, curbing, street lights, sidewalks and street signs.

N. Maintenance of Common Areas. Maintenance and repair of structures, lawn mowing, and landscaping maintenance of all common areas within the Project shall be the responsibility of the property owner or its designee such as a property owners association, at no cost or obligation to the City. The Developer shall provide restrictions to the City that will govern the maintenance of common areas.

O. Impact Fees. The Planned Development shall be subject to all impact fees applicable at the time of permitting. All impact fees are to be paid before issuance of any building permit. Proof of Sumter County impact fees paid shall be provided to the City of Wildwood. Any impact fees adopted by the City of Wildwood, Sumter County or the Sumter County School Board prior to issuance of building permits shall also be applicable to the Planned Development.

P. Expiration of Planned Development Agreement. Actual construction must begin within the Planned Development within 24 months of the final adoption of the Planned Development Agreement. If no construction has started on the approved Planned Development within 24 months, the Planned Development shall lapse and be of no further effect. The City Commission may extend the Planned Development for periods of up to six (6) months provided the applicant can show good cause why said the Project was delayed under the originally approved Planned Development Agreement. However, the City Commission shall not allow extensions to the commencement of construction beyond 48 months after the effective date of this Ordinance. Notwithstanding anything in the foregoing, once construction has commenced, construction may continue until the completion of the Project.

PASSED AND ORDAINED in regular session of the City Commission of the City of Wildwood, Sumter County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

S E A L

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

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

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

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

Approved as to Form:

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

**Ordinance O2013-24**

**“Exhibit A”**

**Oxford Oaks**

**Legal Description**

## OXFORD OAKS

### LEGAL DESCRIPTION

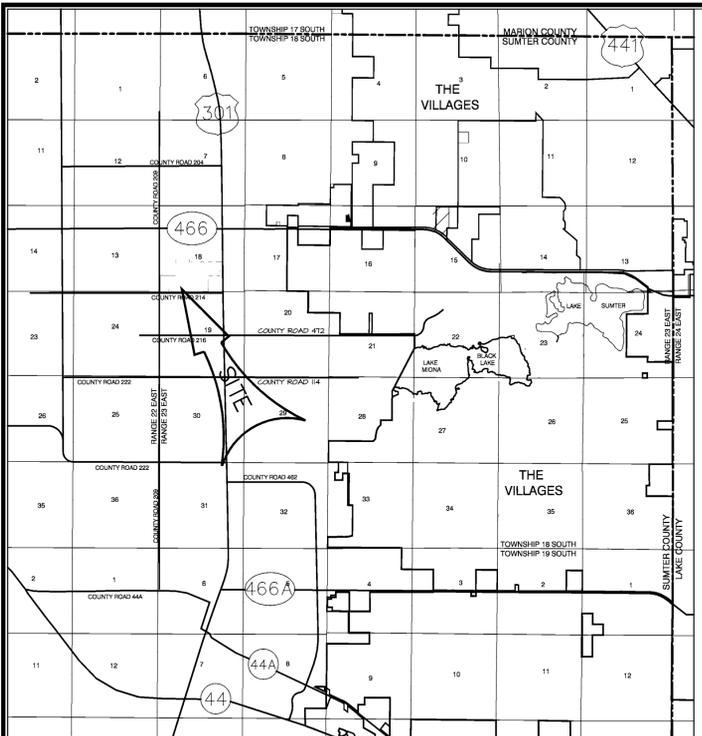
A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SAID SECTION 18; THENCE N00°26'23"E ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 A DISTANCE OF 1323.97 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE S89°23'32"E ALONG SAID NORTH LINE A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S89°23'32"E, ALONG SAID NORTH LINE A DISTANCE OF 1273.53 FEET TO THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE N00°26'06"E ALONG SAID WEST LINE A DISTANCE OF 1323.63 FEET TO THE NORTH LINE OF SAID NORTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE S89°22'39"E ALONG SAID NORTH LINE A DISTANCE OF 1114.72 FEET TO A POINT 208.71 FEET WEST OF THE EAST LINE OF SAID NORTHEAST OF THE SOUTHWEST 1/4; THENCE PARALLEL WITH SAID EAST LINE RUN S00°25'50"W A DISTANCE OF 208.71 FEET; THENCE PARALLEL WITH SAID NORTH LINE RUN S89°22'39"E A DISTANCE OF 208.71 FEET TO A POINT ON SAID EAST LINE; THENCE N00°25'50"E, ALONG SAID EAST LINE A DISTANCE OF 28.71 FEET TO A POINT 180.00 FEET SOUTH OF THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE PARALLEL WITH SAID NORTH LINE RUN S89°22'39"E A DISTANCE OF 2529.92 FEET TO THE WEST RIGHT OF WAY OF STATE ROAD NO. 35 (U.S. 301); THENCE S00°57'08"E ALONG SAID RIGHT OF WAY A DISTANCE OF 574.88 FEET; THENCE DEPARTING SAID RIGHT OF WAY S87°03'31"W A DISTANCE OF 89.10 FEET TO A POINT ON THE SOUTH LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1628 PAGE 483, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE N89°22'32"W ALONG SAID SOUTH LINE A DISTANCE OF 151.16 FEET TO THE WEST LINES OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1628 PAGE 481 AND OFFICIAL RECORDS BOOK 1628, PAGE 483; THENCE S00°36'51"W ALONG SAID WEST LINES A DISTANCE OF 204.69 FEET TO THE NORTH LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 155, PAGE 73, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE N89°20'28"W ALONG SAID NORTH LINE A DISTANCE OF 16.14 FEET TO THE WEST LINE THEREOF; THENCE S00°57'08"E ALONG SAID WEST LINE A DISTANCE OF 360.00 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE N89°20'28"W ALONG SAID SOUTH LINE A DISTANCE OF 967.51 FEET TO THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE S00°25'03"W ALONG SAID EAST LINE A DISTANCE OF 1296.13 FEET TO A POINT 28.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE PARALLEL WITH SAID SOUTH LINE RUN N89°18'18"W A DISTANCE OF 1328.34 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 18; SAID POINT ALSO BEING 28.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE PARALLEL WITH SAID SOUTH LINE RUN N89°24'24"W A DISTANCE OF 1323.63 FEET TO A POINT ON THE EAST LINE OF AFORESAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; POINT ALSO BEING 28.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE PARALLEL WITH SAID SOUTH LINE RUN N89°24'24"W A DISTANCE OF 317.83 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1884, PAGE 366, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG THE BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1884, PAGE 366 THE FOLLOWING THREE (3) COURSES: THENCE RUN N00°38'26"E A DISTANCE OF 199.08 FEET; THENCE N89°21'34"W A DISTANCE OF 208.72; THENCE S00°38'26"W A DISTANCE

OF 199.25 FEET TO A POINT 28.00 FEET NORTH OF SAID SOUTH LINE OF THE  
SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE PARALLEL WITH SAID SOUTH LINE  
RUN N89°24'24"W A DISTANCE OF 747.09 FEET TO A POINT 50.00 FEET EAST OF THE  
WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 18;  
THENCE PARALLEL WITH SAID WEST LINE RUN N00°26'23"E A DISTANCE OF 1295.96  
FEET TO THE POINT OF BEGINNING.

**Ordinance O2013-24**  
**“Exhibit B”**  
**Oxford Oaks**  
**Conceptual Development Plan**  
**And Detail Sections**





**OWNER/DEVELOPER:**  
MID FLORIDA PROPERTIES, LLC  
BY LBCV, IT'S MANAGER  
1020 LAKE SUMTER LANDING  
THE VILLAGES, 32162  
MARTIN L. DZURO (VICE PRESIDENT)

**ENGINEER/SURVEYOR:**  
FARNER, BARLEY AND ASSOCIATES, INC.  
4450 N.E. 83rd ROAD  
WILDWOOD, FL 34785  
(352) 748-3126  
JEFFERY A. HEAD, P.E. #58058

**SITE DATA**

1. SITE ACREAGE: = 218.52 AC.
2. ZONING = R1 w/ RPD OVERLAY  
LOCATED IN SEC. 18, T 18 SOUTH, R 23 EAST  
SUMTER COUNTY, FLORIDA
3. # OF UNITS: 2.48 UNITS PER AC. = 218.52 AC. x 2.48 = 542
4. DENSITY: RESIDENTIAL = 540 - SINGLE FAMILY DETACHED  
1 - SINGLE FAMILY ATTACHED  
542 - TOTAL UNITS
5. BUFFERS: 20' LANDSCAPE BUFFER ESMT. - SETBACK AROUND PERIMETER  
25' (ALONG COUNTY ROADS 209, 214 AND U.S. HWY. 301)

6. MINIMUM OPEN SPACE REQUIRED = 20% (43.7 AC.)  
OPEN SPACE PROVIDED:  
LANDSCAPE BUFFER ESMT. = 5.69 AC.  
PARKS = 7.70 AC.  
DRA's = 33.89 AC.  
OXFORD OAKS REC. AREA = 3.23 AC.  
TOTAL = 50.51 AC.

7. ALL COMMON OPEN AREAS SHALL BE MAINTAINED BY HOMEOWNERS ASSOCIATION.

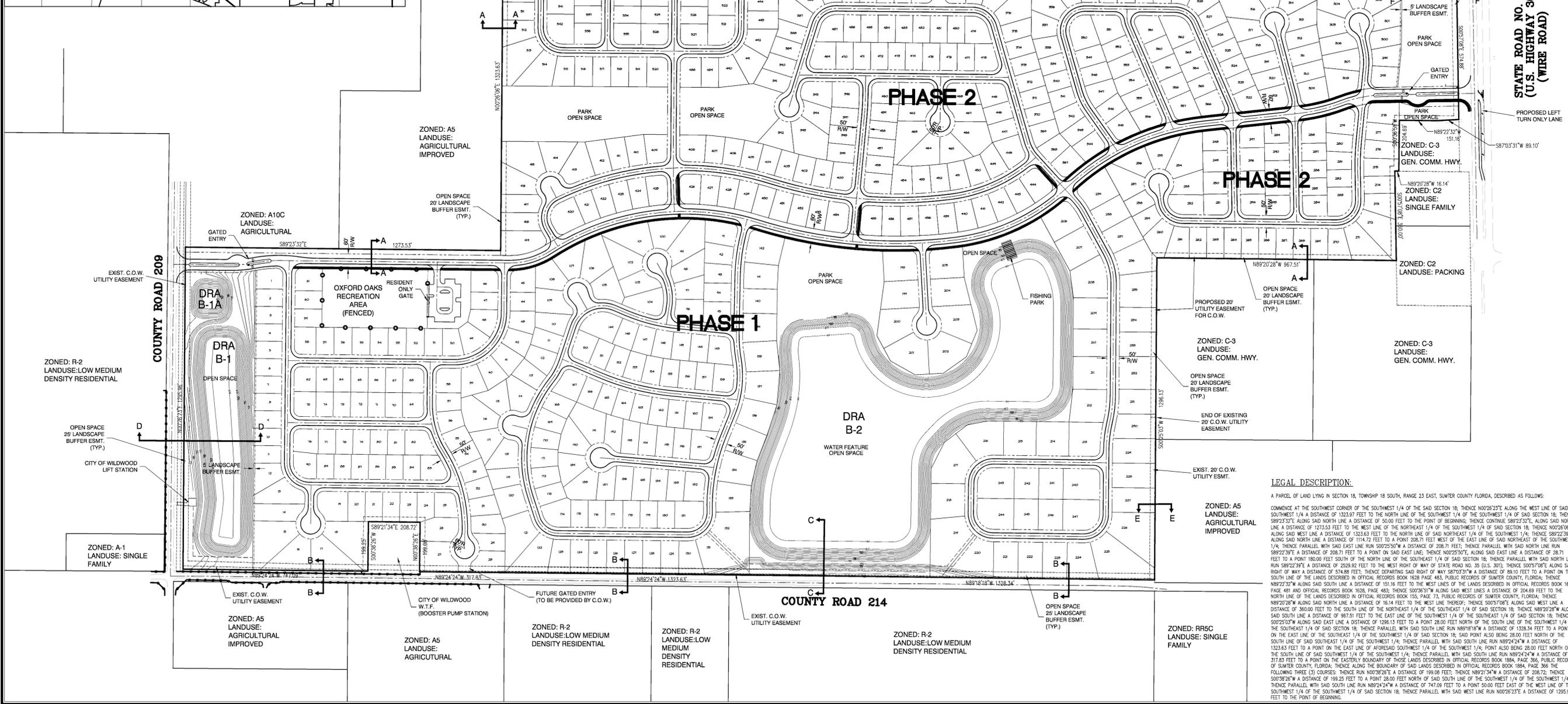
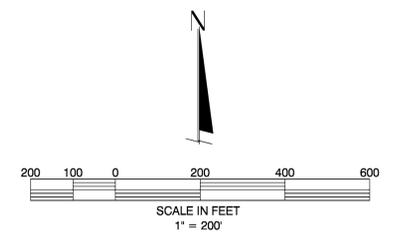
8. POTABLE WATER AND SANITARY SEWER WILL BE PROVIDED BY THE CITY OF WILDWOOD.

9. NO WETLANDS LOCATED ON SITE.

10. THIS PROJECT IS NOT LOCATED WITHIN A 100 YR FEMA FLOOD ZONE.

11. AMENITIES REQUIRED : 9  
MAY INCLUDE SOME OR ALL OF THE FOLLOWING:  
PARKS  
TENNIS COURT  
BASKETBALL COURT  
CORNHOLE COURT  
PAVILLION  
PLAYGROUND  
PICKLEBALL COURT  
BEACH VOLLEYBALL  
HORSESHOE COURT

12. A TOTAL OF 92 TREES (3" DBH) SHALL BE PLANTED ALONG MAIN BOULEVARD EVERY 38' STAGGERED ON EACH SIDE OF R/W.



**LEGAL DESCRIPTION:**  
A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY FLORIDA, DESCRIBED AS FOLLOWS:  
COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SAID SECTION 18; THENCE N00°28'23"E ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 A DISTANCE OF 1323.97 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE S89°23'32"E ALONG SAID NORTH LINE A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S89°23'32"E ALONG SAID NORTH LINE A DISTANCE OF 1273.53 FEET TO THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE N00°28'08"E ALONG SAID WEST LINE A DISTANCE OF 1323.63 FEET TO THE NORTH LINE OF SAID NORTHEAST 1/4 OF SAID SECTION 18; THENCE S89°23'39"E ALONG SAID NORTH LINE A DISTANCE OF 1114.72 FEET TO A POINT 208.71 FEET WEST OF THE EAST LINE OF SAID NORTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE PARALLEL WITH SAID EAST LINE RUN S00°25'50"W A DISTANCE OF 208.71 FEET; THENCE PARALLEL WITH SAID NORTH LINE RUN S89°22'39"E A DISTANCE OF 574.88 FEET; THENCE DEPARTING SAID RIGHT OF WAY S87°03'31"W A DISTANCE OF 89.10 FEET TO A POINT ON THE SOUTH LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1628 PAGE 483 PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE N89°23'32"E ALONG SAID SOUTH LINE A DISTANCE OF 151.16 FEET TO THE WEST LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1628 PAGE 481 AND OFFICIAL RECORDS BOOK 1628 PAGE 483; THENCE S00°37'08"E ALONG SAID WEST LINE A DISTANCE OF 204.69 FEET TO THE NORTH LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 155, PAGE 73, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE N89°20'28"W ALONG SAID NORTH LINE A DISTANCE OF 16.14 FEET TO THE WEST LINE THEREOF; THENCE S00°37'08"E ALONG SAID WEST LINE A DISTANCE OF 360.00 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE N89°20'28"W ALONG SAID SOUTH LINE A DISTANCE OF 961.51 FEET TO THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE S00°25'50"W ALONG SAID EAST LINE A DISTANCE OF 1286.13 FEET TO A POINT 28.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE PARALLEL WITH SAID SOUTH LINE RUN N89°24'24"W A DISTANCE OF 1323.63 FEET TO A POINT ON THE EAST LINE OF AFORESAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; POINT ALSO BEING 28.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE PARALLEL WITH SAID SOUTH LINE RUN N89°24'24"W A DISTANCE OF 374.63 FEET TO A POINT ON THE EASTERN BOUNDARY OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1884, PAGE 366, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG THE BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1884, PAGE 366, THE FOLLOWING THREE (3) COURSES: THENCE RUN N00°30'26"E A DISTANCE OF 199.08 FEET; THENCE N89°23'34"W A DISTANCE OF 206.72; THENCE S00°38'26"W A DISTANCE OF 193.25 FEET TO A POINT 28.00 FEET NORTH OF SAID SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE PARALLEL WITH SAID SOUTH LINE RUN N89°24'24"W A DISTANCE OF 747.08 FEET TO A POINT 50.00 FEET EAST OF THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE PARALLEL WITH SAID WEST LINE RUN N00°28'23"E A DISTANCE OF 1295.96 FEET TO THE POINT OF BEGINNING.

DATE \_\_\_\_\_

REVISIONS \_\_\_\_\_

BY \_\_\_\_\_

DATE \_\_\_\_\_

DATE 6/17/13

DRAWN BY DC

CHKD BY JAH

FILE NAME MASTER PLAN

JOB NO. 921141.2680

DATE 6/17/13

DRAWN BY DC

CHKD BY JAH

FILE NAME MASTER PLAN

JOB NO. 921141.2680

**FARNER BARLEY AND ASSOCIATES, INC.**  
ENGINEERS SURVEYORS PLANNERS

Certificate of Authorization Number: 4709  
4450 N.E. 83rd Road • Wildwood, Florida 34785 • (352) 748-3126

**OXFORD OAKS R.P.D.**

**CONCEPTUAL DEVELOPMENT PLAN**

**MARCH 29, 2013**

**EXHIBIT B**

SHT. 1 OF 2

# CITY COMMISSION OF THE CITY OF WILDWOOD

## EXECUTIVE SUMMARY

**SUBJECT:** Wildwood Entertainment Park Planned Development RZ 1306-01

Approval of Ordinance O2013-25.

**REQUESTED ACTION:**

Work Session (Report Only)

**DATE OF MEETING:** 7/8/13 First Reading  
7/22/13 Adoption

Regular Meeting

Special Meeting

**CONTRACT:**

N/A

Vendor/Entity: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Termination Date: \_\_\_\_\_

Managing Division / Dept: \_\_\_\_\_

**BUDGET IMPACT:** \_\_\_\_\_

- Annual
- Capital
- N/A

**FUNDING SOURCE:** \_\_\_\_\_

**EXPENDITURE ACCOUNT:** \_\_\_\_\_

**HISTORY/FACTS/ISSUES:**

The applicant, Cliff Wittman for Witcow Holding, LLC, seeks approval from the City Commission for a "Commercial/Industrial Planned Development" (CIPD) zoning overlay approval on approximately 100 acres of property zoned "Conservation: C" and "Industrial: M-1." The applicant is seeking to develop an outdoor sports and music recreation facility. Due to the unique nature of the project, a Commercial/Industrial Planned Development (CIPD) is appropriate.

Pursuant to Section 8.6 of the Land Development Regulations, Ordinance O2013-25 adopts the Wildwood Entertainment Park Planned Development Agreement. The Project's legal description and conceptual development plan have been incorporated into the Ordinance as exhibits. City staff has worked closely with the applicant and the applicant's engineer in crafting specific criteria and standards for the Project which are described in the Planned Development Agreement.

The criteria and standards include the Project's uses, phasing, hours of operation, buffers, on-site safety controls and other pertinent development standards to mitigate potential impacts of the Project. To mitigate potential off-site noise impacts, the Project will contain natural buffers along the site's perimeter and contain landscaped buffers or 5' high berms on the north and east side of the mud bogging holes. In addition to the on-site safety equipment and personnel, the Developer has agreed to work with the Wildwood Police Department and Sumter County Fire and Medical Services in developing emergency management procedures..

**Staff recommends approval of Ordinance #02013-25** to be forwarded to the City Commission for final action for the following reasons:

- The property is an appropriate location and size for a project of this scope. Compared to other

locations in the City, the impacts to residential properties are significantly less. The immediate area is predominately industrial and agricultural with a handful of residential properties located across from US 301. The closest residential home is at least 1,100 feet away (located on NE 41st Lane) from where the mud bogging will occur.

- Ordinance O2013-25 includes standards and criteria that mitigate the impacts of the Project.
- Phase 1 of the Project is not expected to adversely impact the City's public facilities and services. Should the Developer commence with Phase II and utilize the existing building for concerts, rodeos, etc. Ordinance O2013-25 contains triggers which will require a Site Plan modification which will reassess any impacts to public facilities and services. Site plan modification would require review by the Planning and Zoning Board and approval by the City Commission.

**The Planning and Zoning Board/Special Magistrate has recommended approval of Ordinance O2013-25** subject to the following conditions:

- Specificity be given to the type of vehicles that may participate in the activities; and
- Additional requirements for noise are incorporated into the Ordinance.

If approved by the City Commission, these comments will be integrated into Ordinance O2013-25.

Case RZ 1306-01 was considered by the Planning & Zoning Board/Special Magistrate on Thursday, June 27, 2013. The Planning & Zoning Board/Special Magistrate gave a favorable recommendation of the planned development and Ordinance O2013-25 to the City Commission for your consideration and approval.



Melanie D. Peavy  
Development Services Director

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**City of Wildwood**  
**Planning & Zoning Board/Special Magistrate**

The case below was heard on Thursday, June 27, 2012 by the Special Magistrate. The applicant seeks approval and a favorable recommendation of Ordinance O2013-25 establishing the "Commercial/Industrial Planned Development" (CIPD) zoning overlay for the Wildwood Entertainment Park development. The project will contain two mud holes, a volleyball court, a 576 sq. ft., and a 3,414 sq. ft. concrete truck pull area with related improvements. The property is generally located on the west side of US Hwy 301, south of the Turnpike and just north of the South Wildwood Industrial Park.

**Case:** RZ 1306-01

**Parcels:** G19=011 and G30=048

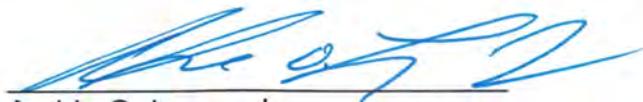
**Owner:** Cliff Wittman, Witcow Holding LLC

**Applicant:** Cliff Wittman, Witcow Holding LLC

Based upon the testimony and information presented, the Special Magistrate recommends approval of the rezoning and favorable recommendation of Ordinance O2013-25 to the City Commission, subject to addressing the following issues:

- Noise level regulation be written into the ordinance that addresses any activity on the property, including but not limited to music as well as vehicles; and
- Some type of criteria or guidelines regarding the types of vehicles that can be used on the property as a means to addressing the level of noise coming from the development and as a mechanism for the City to regulate said noise

**Dated:** June 29, 2013

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

## ORDINANCE O2013-25

**AN ORDINANCE OF THE CITY OF WILDWOOD GRANTING A REQUEST FOR A PLANNED DEVELOPMENT PURSUANT TO SECTION 8.6 OF THE LAND DEVELOPMENT REGULATIONS. FOR CERTAIN PROPERTY WITHIN THE CITY OF WILDWOOD, FLORIDA; OWNED BY ONE HUNDRED OAKS, LLC; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

The application filed by Cliff Wittman of Witcow Holdings, LLC (hereinafter referred as the, "Developer") for a Commercial/Industrial Planned Development was heard by and before the City Commission, Wildwood, Florida on this \_\_\_\_\_ day of \_\_\_\_\_ 2013. Based upon the verified application and supporting documents, analyses, maps, charts, other evidence and instruments, the advice, report and recommendations of the Project Review Committee and the testimony adduced and evidence received at the Public Hearing by the Planning and Zoning Board on June 27<sup>th</sup>, 2013 and otherwise being fully advised, the City Commission does hereby find and determine as follows:

### **SECTION 1: GENERAL FINDINGS**

- A. That the Wildwood Entertainment Park Planned Development Application (hereinafter referred to as the "Project") was duly and properly filed herein on May 31, 2013 by the Developer.
- B. That all fees required to be borne and paid by the Developer have been paid in accordance with the City of Wildwood Fee Schedule.
- C. That the Project was reviewed by the Project Review Committee and found to meet or exceed the minimum standards of the City's Comprehensive Plan, Land Development Regulations, Code of Ordinances, and all other applicable ordinances and regulations.
- D. That the Developer intends to develop an outdoor entertainment park consisting of 99.98 acres, more or less, which is situated in Wildwood, Florida. This land is legally described in "Exhibit A" attached hereto.
- E. That the Developer has entered into a lease agreement with the property owner, One Hundred Oaks, LLC, and wishes to develop the property in accordance with this Ordinance.

- F. That the Developer has complied with the conceptual development plan provision as required by Section 8.4 of the Land Development Regulations.
- G. That the City has complied with the due notice requirements of subsection 3.3(B)(3) of the Land Development Regulations.

## **SECTION 2: FINDINGS REGARDING PLANNED DEVELOPMENT OVERLAY**

- A. That the Developer has applied for a Commercial/Industrial Planned Development (CIPD) of the lands described in “Exhibit A”.
- B. That the zoning district of the subject land described in “Exhibit A” is classified as Industrial (M-1) and Conservation (C) on the City of Wildwood Zoning Map.
- C. That the Project is consistent with both the City of Wildwood Comprehensive Plan, the intent and purpose of the City of Wildwood Land Development Regulations, and does promote the public health, safety, morals, welfare, and orderly growth of the City of Wildwood.
- D. That the City of Wildwood Land Development Regulations are consistent with the provisions of the “Planned Development Agreement” as hereinafter set forth in Section 3 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.
- E. This Ordinance shall become effective immediately upon its approval and adoption by the City Commission.

## **SECTION 3: PLANNED DEVELOPMENT AGREEMENT: GENERAL PROVISIONS**

- A. Development Concept. The Project is an outdoor and indoor sports and music entertainment park. The Project shall be developed as a Planned Development substantially in accordance with this Ordinance. This Planned Development Agreement shall govern the development of the Project.

B. Conceptual Development Plan. The Project includes a Conceptual Development Plan pursuant to Section 8.4 of the Land Development Regulations. The Conceptual Development Plan prepared by Farner Barley and Associates dated 6-19-13 (revision date) is incorporated into this Ordinance as “Exhibit B” attached hereto. The Conceptual Development Plan is substantially consistent with City of Wildwood Comprehensive Plan.

- 1) The Conceptual Development Plan illustrates the location of the following:
  - a. Existing building (56,428 SF);
  - b. Existing trailer;
  - c. Existing well;
  - d. Existing septic tank;
  - e. Parking areas;
  - f. Roads;
  - g. Lights;
  - h. Project activities (Mud Holes, Rock Crawl, ATV Trails, Truck Pull, volleyball, etc.);
  - i. Security and First Aid stations;
  - j. Jurisdictional wetlands;
  - k. Buffers; and
  - l. Other site features.
- 2) The Project shall be developed in three (3) phases in accordance with the Conceptual Development Plan and this subsection.
  - a. Phase 1. Phase I of the Project shall include installation of the following site improvements. No event shall occur on site before these improvements have been made to the property.
    1. A paved apron in accordance with City of Wildwood and Florida Department of Transportation standards;
    2. A 20’ wide unpaved road which generally runs east-west through the Project;
    3. Buffers or berms in accordance with Section 3(I).
    4. Lighting in accordance with Section 3(N); and
    5. Grass parking areas.
  - b. Phase II. Phase II may commence in accordance with the Conceptual Development Plan. However, additional site improvements may be required as stated in this Ordinance.

C. Uses and Hours of Operation.

- 1) Phase I Uses. The following uses/events may occur in Phase I.
  - a. Mud bogging. “Mud bogging” is defined as an off-road motorsport in which participants drive a motor vehicle through a pit of mud. Mud bogging may occur in areas designated as “Mud Hole” on the Conceptual Development Plan;

- b. Truck Pull;
- c. Vehicles. Vehicles coming into the park that may operate or participate in activities include: 4x4 trucks, 2 wheel drive trucks, cars, jeeps, All-Terrain Vehicles (ATVs), utility vehicles, golf carts, and off road vehicles.
- d. ATV trails;
- e. Rock Crawl: "Rock Crawl" is defined as an obstacle course for vehicles consisting of the placement of rocks or other similar obstacles along a desired path.
- f. Playground;
- g. Volleyball;
- h. Cornhole, horseshoes, and other similar games and activities;

2) Phase II Uses. The following uses/events may occur in Phase II.

- a. All uses listed in Phase I;
- b. Utilization of the existing 56,428 square foot building for concerts, rodeos, races, shows, fairs, auctions, or other similar events. A building permit and/or site plan may be required for any improvements to this building.

3) Hours of Operation for Events.

- a. Friday: Events may begin at 12:00pm for spectators, participants, and operations.
- b. Saturday: Events may begin at 8:00am for spectators, participants, and operations.
- c. Sunday: Events may begin at 12:00pm for spectators, participants, and operations. If the following Monday is a state holiday, follow Saturday's schedule.
- d. Monday (state holidays only): Follow Sunday's schedule.
- e. Motorized vehicles associated with events shall cease operations at 11pm for Fridays and Saturday and at 9pm for Sunday and Mondays.
- f. Monday (non-event days) through Thursday: Normal business days for staff.
- g. Spectators will not be allowed to enter after 9:30 pm.

4) Alcohol. The Project shall adhere to the City's Code of Ordinances pertaining to the sale and consumption of alcohol.

5) Noise. The Project shall adhere to the City's Code of Ordinances pertaining to noise. The City has the right to require the Developer to make improvements to the site to mitigate noise impacts should the City find the activities of the Project significantly increase the level of noise that is normally experienced in the area.

D. Amendments. The Development Services Director, or designee, shall have the authority to approve non-substantial changes to the conceptual development plan without a public hearing. Additional improvements such as paving of parking areas and drive isles, stormwater retention, and

- connection to City potable water or wastewater shall require an amendment to the Project's site plan and may not require an amendment to this Planned Development Agreement. The determination of what constitutes a non-substantial change shall be at the Development Services Director's discretion. All modifications requiring an amendment to the Planned Development Agreement shall require review and recommendation of the Planning and Zoning Board and action by the City Commission in the same manner as an Application for Planned Development.
- E. Future Approvals. Prior to any construction occurring, a site plan shall be submitted for review and approval in the manner required by Chapter 4 of the Land Development Regulations.
- G. Site Plan Review Standards. The Project is required to undergo site plan approval in accordance with City regulations. Unless noted in this Ordinance, the Project's site plan shall adhere to the City's site plan and technical requirements as outlined in the Land Development Regulations. The following are not required for site plan submittal and approval.
- 1) A Tree Survey is not required. The Project will preserve all healthy trees located on-site. Any tree removal will require a Tree Removal Permit by the City.
  - 2) A Preliminary Concurrency Determination application is not required unless the Project connects to the City's utility system.
  - 3) A Traffic Impact Study is not required for Phase I of the Project. A Traffic Impact Study may be required for Phase II in accordance with this Ordinance.
- H. Design District Standards. Unless otherwise noted, the Project shall adhere to the Industrial Design District Standards pursuant to section 6.12 of the Land Development Regulations.
- I. Recreation and Open Space. The Project is an indoor and outdoor commercial recreation facility that provides recreation and open space opportunities to the residents of Wildwood.
- 1) Open Space. Minimum open space requirements within the project are waived.
  - 2) Natural Buffers. The Project shall maintain a 20' natural buffer along the Project's southern and eastern boundaries and along the northern boundary outside of the required landscape buffer or berm as stated in Section 3(I)(3). The Project shall maintain a 25' natural buffer along U.S. 301. The natural buffer is to remain substantially undisturbed.
  - 3) Landscape Buffers or Berms.
    - a. Landscape buffers or berms are intended to mitigate noise impacts as a result of the mud bogging activities. The Project

shall install either a landscape buffer or berm in the following locations:

- i. Along the northern property line between the wetland upland buffers located in the northeast and northwest corners of the property; and
  - ii. Extending from the existing building to the north property line and south from the existing building to the road.
- b. Landscape buffers shall be accordance with the City's Design District Standards for the required trees and hedge.
- c. Berms shall have a minimum height of 5'.

J. Environmental Considerations.

- 1) Wetlands. The Project contains 20.52 acres of delineated jurisdictional wetlands as identified on the Conceptual Development Plan. The wetlands are classified as "Conservation" on the City's zoning map. A 15' minimum, 25' average buffer is required along wetlands. On site activities shall not occur within the wetland or buffer.
- 2) Gopher Tortoise. The Project's Environmental Assessment documented one (1) gopher tortoise burrow on site. The Developer is required to adhere to the Florida Fish and Wildlife Conservation Commission's rules and regulations pertaining to the relocation of the gopher tortoise.

K. Public Facilities.

- 1) Potable Water, Wastewater, and Reuse Water. The Project will not be connected to the City's utility system for Phase I. Portable restrooms will be provided for each event. The septic system which currently services the existing trailer as shown on the Conceptual Development Plan will remain. Should the Project utilize the existing building for concerts, rodeos, races, shows, fairs, auctions, or other similar events as stated in Phase II that may generate high water and wastewater volume, the Project will be required to connect to City utilities. A Developer's Agreement may be required if and when the Project connects to the City's utility system.
- 2) Solid Waste. Dumpsters will be provided on site. Trash cans will be provided on site and emptied when warranted. Solid waste services shall be provided by the City or the City's contracted refuse service provider.
- 3) Stormwater. Should the Developer be required to or chose to pave any parking areas or roads within the Project, the Project's Site Plan will be amended to provide stormwater management areas in accordance with City standards.

L. Access, Parking, and Transportation.

- 1) The Project's main access is off of U.S. 301, a two-lane highway. The Developer will be required to obtain a Driveway Permit from the Florida Department of Transportation.
- 2) The Project shall contain a 20' wide road with a paved apron on U.S.301 in accordance with applicable standards.
- 3) Parking for Phase I may be grass parking. Should the Project utilize the existing building for concerts, rodeos, races, shows, fairs, auctions, or other similar events as stated in Phase II parking and the 20' wide road the City may require paved parking.
- 4) Due to the uncertainty of the amount of potential traffic generated by the proposed project, a Traffic Impact Study shall not be required for Phase I. In lieu of a Traffic Impact Study the Developer, at no expense to the City, shall provide monthly monitoring reports to the City for a period of (1) year after the first event is held. The report shall quantify the number and direction of automobile trips entering and leaving the Project on days in which an event is held. The reports shall be conducted by a certified transportation professional and will monitor and record traffic congestion on U.S. 301 before, during, and after each event. Prior to commencement of Phase II, the Project shall submit a Traffic Impact Study. Prior to completing the Traffic Impact Study, a pre-application conference is required. The Traffic Impact Study will be aided by the monthly monitoring reports and will determine if improvements are necessary to protect the public's health, safety, and welfare. The Project may hire, and may be required by the City to hire, Police Officers to help control traffic entering and leaving the site during events.

M. On Site Safety Controls. The Project is required to contain and employ adequate equipment and personnel to ensure the safety of the participants, spectators, and employees in the event of an accident. The Project shall employ the following safety features:

- 1) Emergency Management Procedures. The Developer shall coordinate with the Wildwood Police Department and Sumter County Fire and Emergency Medical Services in developing standard operating procedures and protocols in the occurrence an accident would exceed the capacity of on-site safety and medical resources. The Emergency Management Procedures will be

established and on file with all three parties prior to an event taking place.

- 2) First Aid Station and Personnel. The Project will contain first aid stations and staff or hire trained medical and safety personnel during events. The personnel shall be trained and experienced in responding to potential hazards of the Project such as but not limited to extraction of trapped individuals within vehicles, extraction of trapped or disabled vehicles, first aid, and fire suppression.
- 3) Off-duty police officer(s). The Project may hire off-duty police officers as needed.
- 4) Equipment. Equipment such as fire suppression, tow trucks, and front end loaders will be available on site. Such equipment will be specified in the Emergency Management Procedures.

- N. Lighting. Lighting is required when an event take places at night. The Site Plan shall address how lighting will be provided on site. The lighting shall be configured to minimize off-site impacts.
- O. Maintenance of Common Areas. Maintenance and repair of structures, lawn mowing, and landscaping maintenance of all common areas within the Project shall be the responsibility of the property owner or its designee such as a property owners association, at no cost or obligation to the City. The Developer shall provide guidelines to the City for approval, not to be reasonably withheld, conditioned or delayed, for the maintenance of common areas. The City will be granted the right to enforce the common areas maintenance obligations against the Developer, as may be applicable, and to be reimbursed for the reasonable attorney's fees, costs and expenses, as may be reasonably incurred by the City.
- P. Enforcement of Rules and Regulations. For the maintenance of the common areas referenced in Section 3(O) above, the applicable provisions in the Guidelines: (i) shall be made applicable to the Project; and (ii) shall be reviewed/approved by the City of Wildwood and a certificate of occupancy being issued for completed improvements; and (iii) will provide that the City of Wildwood shall have the right, but not the obligation, to enforce such maintenance obligations against a violating party and that the City should be entitled to reasonable attorney's fees and costs for enforcement regardless of whether or not a suit has been filed.

- Q. Impact Fees. The Planned Development shall be subject to all impact fees applicable at the time of permitting. All impact fees are to be paid before issuance of any building permit. Proof of Sumter County impact fees paid shall be provided to the City of Wildwood. Any impact fees adopted by the City of Wildwood, Sumter County or the Sumter County School Board prior to issuance of building permits shall also be applicable to the Planned Development.
- P. Expiration of Planned Development Agreement. Actual construction must begin within the Planned Development within 24 months of the final adoption of the Planned Development Agreement. If no construction has started on the approved Planned Development within 24 months, the Planned Development shall lapse and be of no further effect. The City Commission may extend the Planned Development for periods of up to twelve (12) months provided the applicant can show good cause why said the Project was delayed under the originally approved Planned Development Agreement. However, the City Commission shall not allow extensions beyond 48 months after the effective date of this Ordinance.
- Q. All ordinances or parts of ordinances in conflict herewith, be, and the same are hereby repealed.
- R. 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.
- S. This Ordinance shall take effect upon its final reading by the City Commission of the City of Wildwood.

**PASSED AND ORDAINED** in regular session of the City Commission of the City of Wildwood, Sumter County, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2013.

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

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

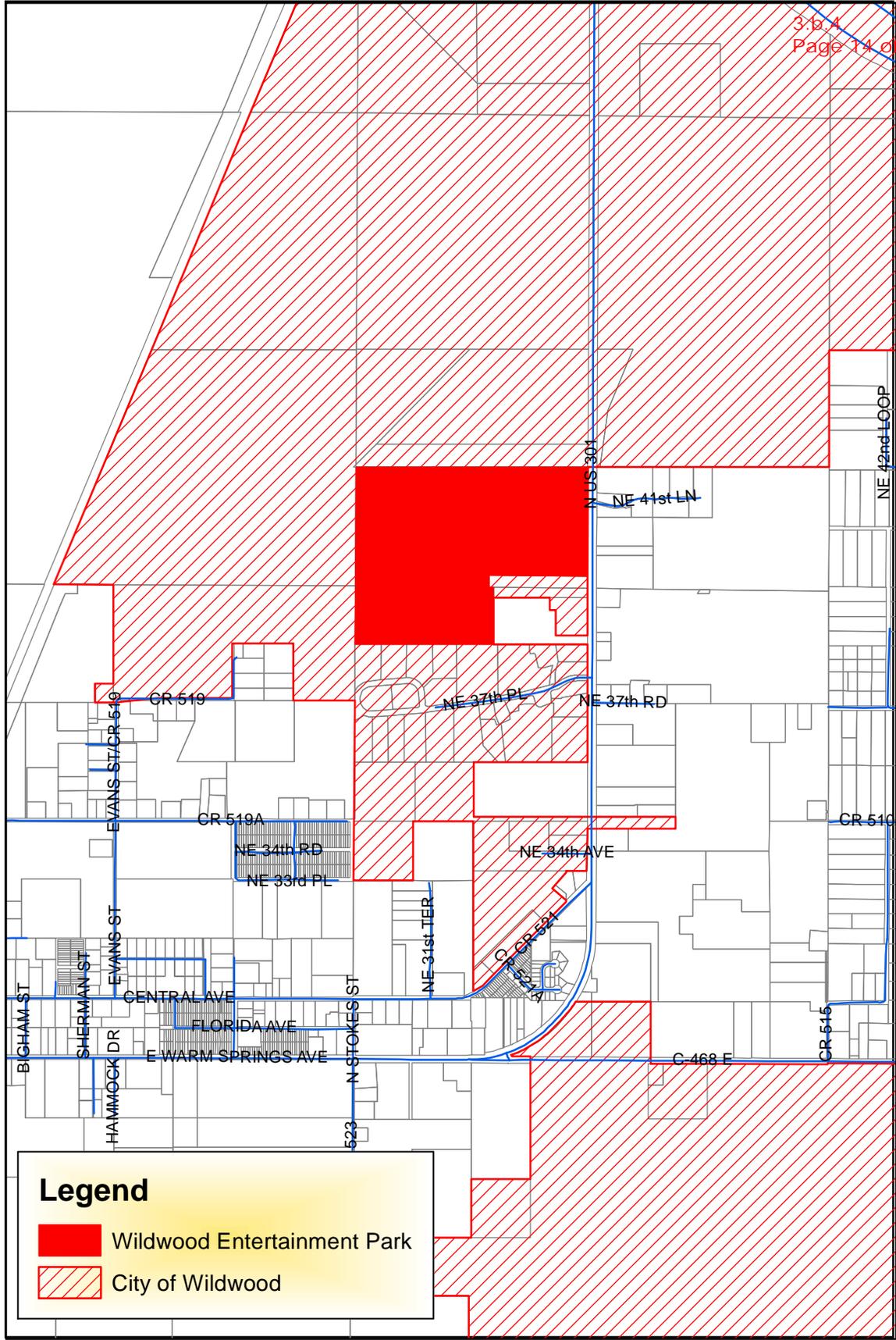
\_\_\_\_\_  
ED WOLF, MAYOR

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

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

Approved as to Form:

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



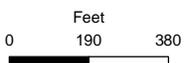
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### Legend

-  Wildwood Entertainment Park
-  City of Wildwood



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

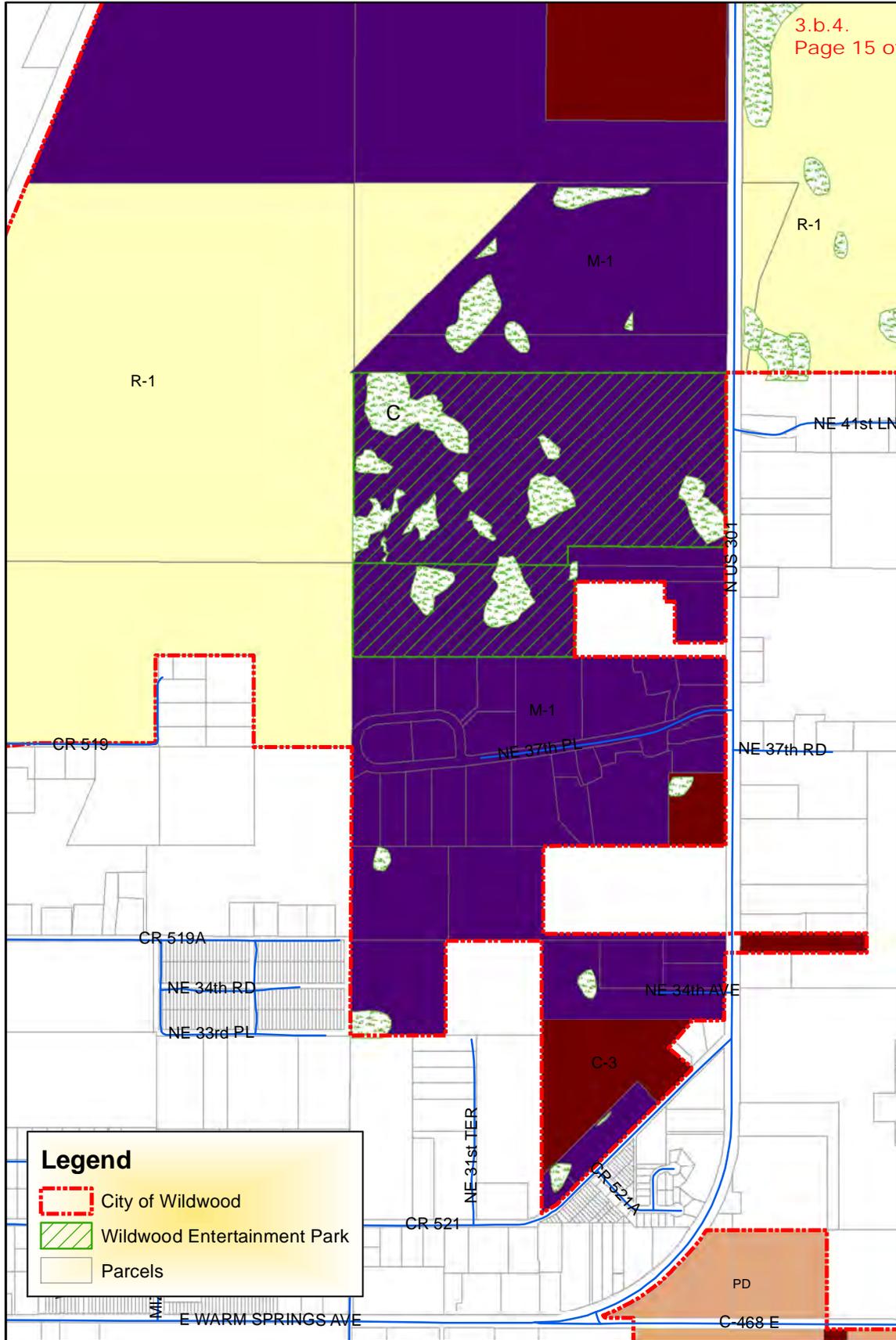


## WILDWOOD ENTERTAINMENT PARK

WILDWOOD, FLORIDA

JUNE 2013

LOCATION MAP



**Legend**

-  City of Wildwood
-  Wildwood Entertainment Park
-  Parcels

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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

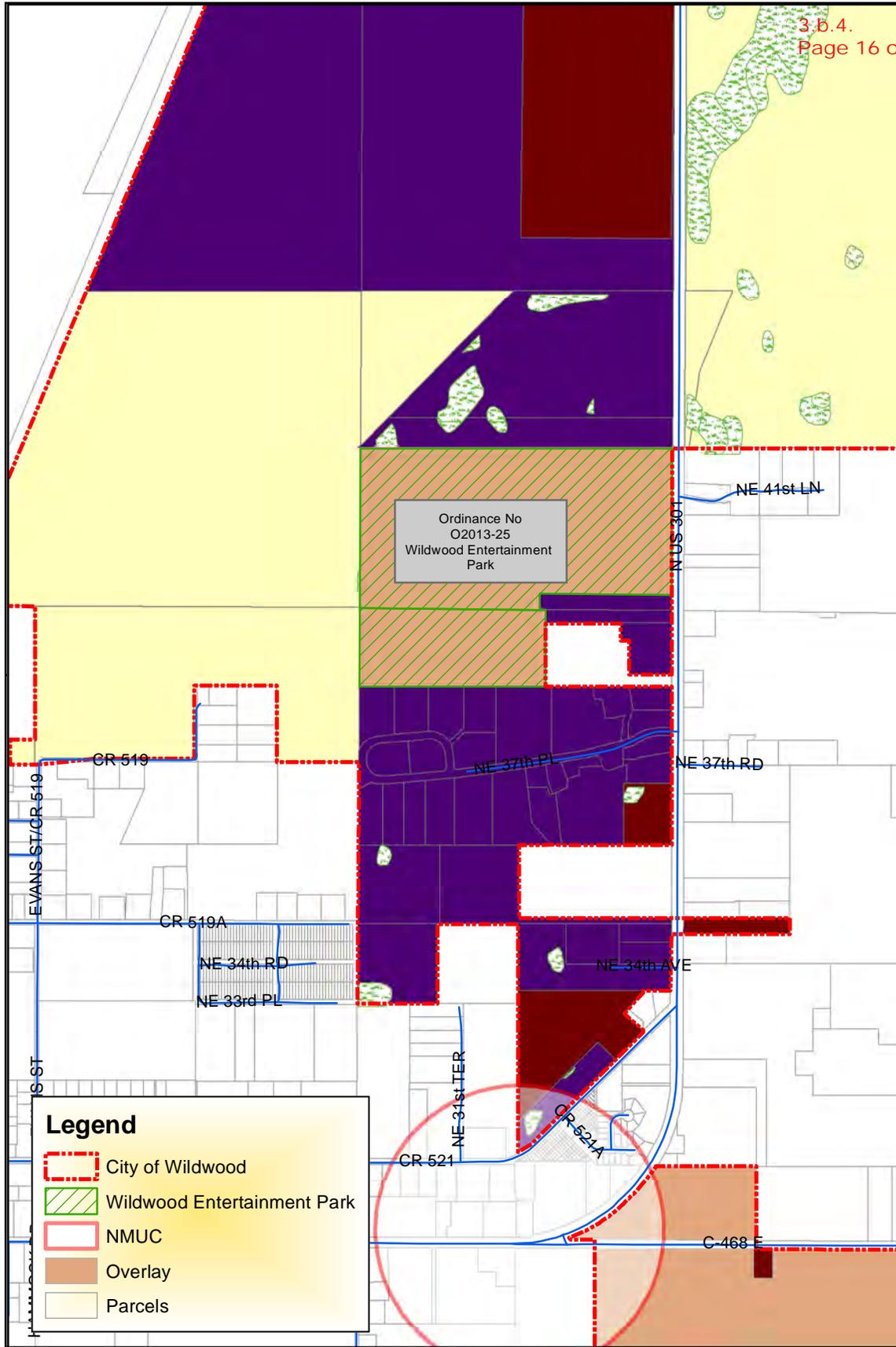


**WILDWOOD ENTERTAINMENT  
 PARK**

**WILDWOOD, FLORIDA**

JUNE 2013

EXISTING ZONING



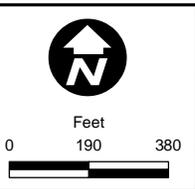
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**Legend**

- City of Wildwood
- Wildwood Entertainment Park
- NMUC
- Overlay
- Parcels



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



<b>Wildwood Entertainment Park</b>	
<b>WILDWOOD, FLORIDA</b>	
JUNE 2013	PROPOSED ZONING OVERLAY MAP

**Ordinance O2013-25**  
**“Exhibit A”**  
**Wildwood Entertainment Park**  
**Legal Description**

**Wildwood Entertainment Park**

**Parcels G19=011 and G30=048**

**LEGAL DESCRIPTION**

South 1/2 of the Southwest 1/4, less Right of Way for U.S. Highway No. 301, and less the South 136 feet of the East 1100 feet thereof, Section 19, Township 19 South, Range 23 East, Sumter County, Florida. AND

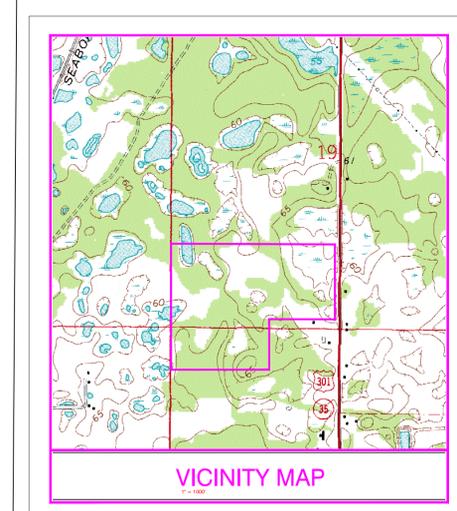
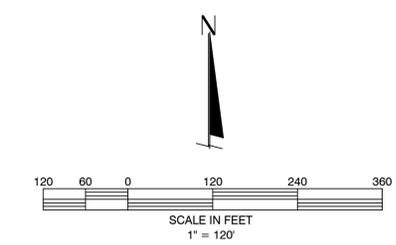
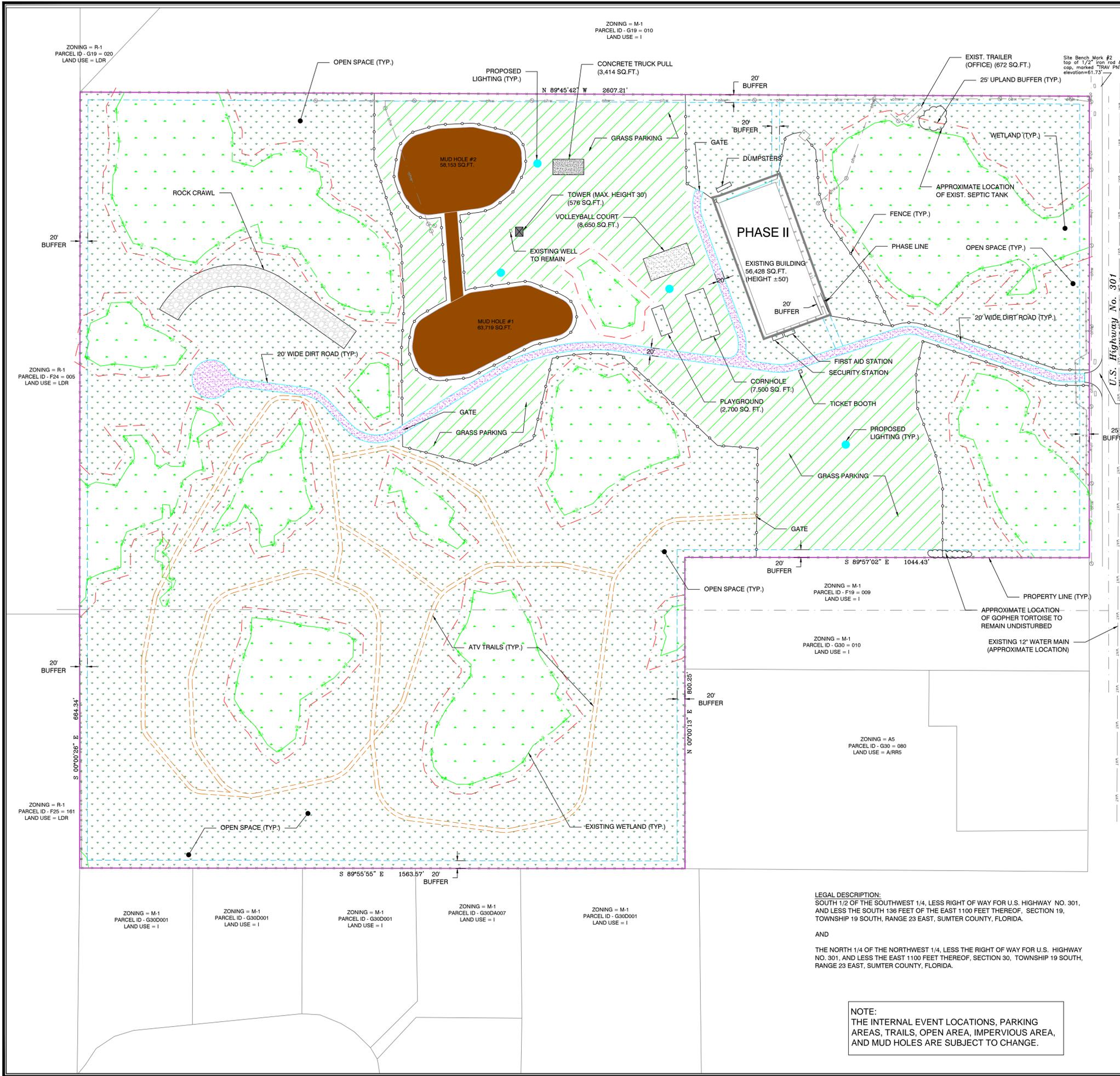
The North 1/4 of the Northwest 1/4, less the Right of Way for U.S. Highway No. 301, and less the East 1100 feet thereof, Section 30, Township 19 South, Range 23 East, Sumter County, Florida.

**Ordinance O2013-24**

**“Exhibit B”**

**Wildwood Entertainment Park**

**Conceptual Development Plan**



**SITE DATA**

1. SITE ACREAGE: 99.98 AC.

2. ZONING = M-1; CONSERVATION

3. PROPOSED BUILDING TYPE = WOOD/MASONRY

4. AREA CALCULATIONS:

IMPERVIOUS AREA:	AREA	% OF TOTAL
EXISTING IMPERVIOUS	1.30 AC.	1.30%
PROPOSED IMPERVIOUS	0.09 AC.	0.09%
<b>TOTAL IMPERVIOUS AREA</b>	<b>1.39 AC.</b>	<b>1.39%</b>

OPEN SPACE:	AREA	% OF TOTAL
DIRT ROAD	1.48 AC.	1.48%
PERVIOUS EVENTS	1.14 AC.	1.14%
GRASS PARKING	13.83 AC.	13.83%
MUD HOLES	2.97 AC.	2.97%
PERIMETER BUFFERS	4.32 AC.	4.32%
UPLAND BUFFERS	8.50 AC.	8.50%
WETLANDS	20.52 AC.	20.53%
GENERAL OPEN SPACE	45.83 AC.	45.84%
<b>TOTAL OPEN SPACE</b>	<b>98.59 AC.</b>	<b>98.61%</b>

5. ALL COMMON OPEN AREAS SHALL BE MAINTAINED BY PROPERTY MANAGEMENT.

6. THE PROJECT IS ANTICIPATED TO BE DEVELOPED IN A MINIMUM OF TWO PHASES. THE PROJECT WILL TENTATIVELY BEGIN THE PROCESS OF CONSTRUCTION AUGUST 2013 FOR PHASE I. THE PROJECT WILL TENTATIVELY BEGIN THE PROCESS OF CONSTRUCTION BETWEEN YEARS 2014 AND 2015 FOR PHASE II.

7. NO POTABLE WATER OR SANITARY SEWER IS REQUIRED FOR PHASE I AND MAY NOT BE REQUIRED FOR FUTURE PHASES.

8. DRAINAGE: ALL PROPOSED IMPERVIOUS AREAS ARE TO DRAIN TO PROPOSED MUD HOLE. THE PROPOSED IMPERVIOUS AREA IS ONLY 3,990 S.F. THEREFORE NO DRAINAGE CALCULATIONS ARE PROVIDED.

9. CONTRACTOR SHALL SOD ALL DISTURBED AREAS STEEPER THAN 5:1. ALL OTHER DISTURBED AREAS TO BE SEED AND MULCH.

10. EXISTING TREES TO REMAIN ONSITE. THE REMOVAL OF ANY TREES SHALL REQUIRE A TREE REMOVAL PERMIT.

11. OPEN SPACE REQUIREMENTS WAIVED FOR THIS PROJECT.

12. ANTICIPATED NUMBER OF EMPLOYEES: 5

13. POWER FOR EVENTS AND SITE LIGHTING TO BE PROVIDED BY PORTABLE GENERATORS.

14. THIS PROJECT IS NOT LOCATED WITHIN A FEMA 100 YR FLOOD PLAIN PER COMMUNITY PANEL # 12029601255

15. NORTHERN BUFFER TO INCLUDE LANDSCAPING OR BERM GENERALLY BETWEEN WETLANDS.

**LEGEND**

- PROPERTY LINE
- WETLAND LINE
- UPLAND BUFFER LINE
- PROPOSED FENCE
- EXISTING FENCE
- EXISTING OVERHEAD UTILITY
- ATV TRAIL
- BUFFER

**LEGAL DESCRIPTION:**  
SOUTH 1/2 OF THE SOUTHWEST 1/4, LESS RIGHT OF WAY FOR U.S. HIGHWAY NO. 301, AND LESS THE SOUTH 136 FEET OF THE EAST 1100 FEET THEREOF, SECTION 19, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA.

AND

THE NORTH 1/4 OF THE NORTHWEST 1/4, LESS THE RIGHT OF WAY FOR U.S. HIGHWAY NO. 301, AND LESS THE EAST 1100 FEET THEREOF, SECTION 30, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA.

**NOTE:**  
THE INTERNAL EVENT LOCATIONS, PARKING AREAS, TRAILS, OPEN AREA, IMPERVIOUS AREA, AND MUD HOLES ARE SUBJECT TO CHANGE.

OWNER/DEVELOPER:  
FITCO HOLDING, LLC.  
P.O. BOX 419  
WILDWOOD, FL 34785  
CLIFF WITTMAN  
(352) 800-8690

ENGINEER/SURVEYOR:  
FARMER, BARLEY AND ASSOCIATES, INC.  
4450 N.E. 83rd ROAD  
WILDWOOD, FL 34785  
(352) 748-3126  
LEE CLYMER, P.E. #69780

REVISIONS

DATE	BY	DESCRIPTION

**FARMER BARLEY**  
AND ASSOCIATES, INC.  
Certification of Authorization Number: 4709  
4450 N.E. 83rd Road • Wildwood, Florida 34785 • (352) 748-3126

**WILDWOOD ENTERTAINMENT PARK  
WILDWOOD, FLORIDA  
PUD CONCEPTUAL PLAN**

DATE: 06-18-13  
DRAWN BY: MJT  
CHKD BY: WLC  
FILE NAME: PUD  
JOB NO.:

ENGINEER: \_\_\_\_\_  
DATE: \_\_\_\_\_

**CITY COMMISSION OF THE CITY OF WILDWOOD**

**EXECUTIVE SUMMARY**

**SUBJECT:** Ordinance O2013-29: Alcohol Sales near Church or School

Approval of Ordinance O2013-29

**REQUESTED ACTION:**

<input type="checkbox"/> Work Session (Report Only)	<b>DATE OF MEETING:</b>	<u>7/8/13: First Reading</u>
<input checked="" type="checkbox"/> Regular Meeting	<input type="checkbox"/> Special Meeting	<u>7/22/13: Adoption</u>

<b>CONTRACT:</b>	<input type="checkbox"/> N/A	Vendor/Entity:	_____
	Effective Date: _____	Termination Date:	_____
	Managing Division / Dept: _____		_____

**BUDGET IMPACT:** \_\_\_\_\_

<input type="checkbox"/> Annual	<b>FUNDING SOURCE:</b>	<u>N/A</u>
<input type="checkbox"/> Capital	<b>EXPENDITURE ACCOUNT:</b>	_____
<input checked="" type="checkbox"/> N/A		

**HISTORY/FACTS/ISSUES:**

The Commission has expressed desire to reduce restrictions on the sale of alcohol near churches that are on leased premises and would like to amend section 4-5 of the City's Code of Ordinances.

Therefore, Ordinance O2013-29 (attached) provides for an exemption for sales of alcohol when a church is located on leased premises.

**Staff recommends approval of Ordinance O2013-29** based on direction of the City Commission.



Melanie D. Peavy  
Development Services Director

\_\_\_\_\_

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, AMENDING SECTIONS 4-5 OF THE CITY OF WILDWOOD CODE; PROVIDING FOR ALCOHOL SALES BEING PROHIBITED NEAR CHURCH OR SCHOOL; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City of Wildwood, Florida, is proposing to require as follows:

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

SECTION 1. Section 4-5 of the City of Wildwood Code is amended as follows (cross throughs (-) shall indicate deletions and underlines ( ) shall indicate additions):

**Sec. 4-5. Sale prohibited near church or school.**

- (a) No liquor, beer or wine shall be sold within 300 feet in a straight line from any church, public or private school operated for the instruction of minors in the common branches of learning measured from building to building at their closest points, except such places of business as are already established.
- (b) This section does not apply to vendors holding solely off-premises sales licenses.
- (c) This section does not apply to churches located in leased premises.

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. Effective Date. This Ordinance shall take effect immediately upon its final adoption by the City Commission.

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

SEAL

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

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

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

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

Approved as to form:

3.b.5.  
Page 3 of 3

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**Jerri A. Blair, City Attorney**

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## **CITY OF WILDWOOD**

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### **CITY COMMISSION REPORT**      Commission Meeting Date: July 8, 2013

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Subject:                      Okahumpka Service Plaza Water Treatment Plant

Submitted By:              Bruce H. Phillips, PE, PLS, Utility Director

Department:                Utility Department

---

Staff Recommendation (Motion Ready): Recommend approval of the Joint Participation Agreement between Florida's Turnpike Enterprise, AREAS USA FLTP, LLC and the City of Wildwood.

---

#### **BACKGROUND:**

- The State of Florida Department of Transportation (FDOT) and the City of Wildwood (COW) entered into a Memorandum of Agreement (MOA) dated March 26, 1993. This agreement provided for FDOT to pay for the construction of an 8" water main from the Okahumpka Service Plaza (Plaza) to the intersection of the Turnpike and CR 468.
- FDOT and COW entered into an Amendment to the MOA on June 17, 1993. This Amendment set a budgetary ceiling on the construction cost of the proposed 8" water main.
- FDOT and COW entered into a second amendment to the MOA on October 21, 1994. The amendment provided for COW to take over maintenance and operation of the Plaza's water treatment plant and that FDOT would not be required to pay water connection, hook-up, impact or development fees to COW.

#### **FINDING, CONCLUSIONS AND RECOMMENDATIONS:**

##### **FINDINGS:**

- Florida's Turnpike Enterprise (Turnpike) is the successor to all agreements between FDOT and COW.
- The Turnpike wishes to renovate and expand the existing plaza.
- COW received a sanitary inspection report from the Florida Department of Environmental Protection (FDEP). This report listed several maintenance deficiencies that are required to be corrected.
- The City's consultant has reviewed these deficiencies and determined the cost to correct same is approximately \$155,000.
- The Turnpike wishes to utilize the real estate on which the WTP is located for the planned expansion of the Plaza.

- City staff would like to abandon the existing WTP and reap the benefit of the savings outlined below.
- The City's consultant, Kimley-Horn and Associates, Inc. (KHA), in conjunction with the Turnpike's consultant have established that a second parallel 8" water main will provide a fire flow volume and pressure meeting the needs of the renovations and expansion planned for the plaza. The cost of design, permitting and construction of the parallel 8" water main and the demolition of the existing water treatment plant is estimated at \$450,000.
- The City will be required to design, permit and construct the water main and bill the Turnpike and AREAS for the costs at the completion of the project.
- City staff has reviewed the monthly billings going back to January 2001 in order to calculate the maximum ERCs used by the Plaza. The billing period for August 8, 2003 bills reflect an average daily use during that billing period equivalent to 106 ERCs.
- TURNPIKE and AREAS utilized traffic counts and a 2%/year growth rate through 2040 to establish 146 ERCs required.
- The final negotiated number of ERCs is 126 ERCs.

**CONCLUSIONS:**

- The attached JPA provides for the cost of the parallel 8" water main to be evenly divided between three entities, the City of Wildwood, Florida's Turnpike Enterprise and AREAS USA FLTP, LLC.
- Should the construction cost exceed \$450,000 AREAS is responsible for the overage.
- The estimated cost to either correct the deficiencies at the treatment plant or construct a new parallel 8" water main are basically the same, \$155,000 to correct the deficiencies and \$150,000 for the parallel water main.
- Additional savings, due to no longer being required to supply chemicals, testing and labor at the site is estimated to be:

Yearly maintenance	\$ 5,000
Supplies (chlorine)	\$ 2,200
Water sampling	\$ 1,000
Labor - 8 hours/week@\$30/hour	\$12,480
Mileage – 10.5 miles/day @ \$0.55/mile	<u>\$ 1,800</u>
<b>TOTAL</b>	<b>\$22,480</b>

- Based on the October 21, 1994's stipulation that FDOT would not be required to pay water connection, hook-up, impact or development fees to COW, the JPA provides for the City to reserve 126 ERCs, both water and wastewater, for the Plaza.

**LEGAL REVIEW:**

- The JPA has been reviewed by the City Attorney for form and legality.

**RECOMMENDATIONS:**

- Staff recommends approval of the JPA.

**FISCAL IMPACT:**

- The estimated start of construction is after the beginning of FY 13/14 and has been included in the Capital Improvements proposed budget for FY 13/14.

**ALTERNATIVES:**

- The alternative is to correct the deficiencies at the plant and continue to operate the facility.

**SUPPORT MATERIAL:**

- Copy of the JPA.

## JOINT PARTICIPATION AGREEMENT

BETWEEN  
FLORIDA'S TURNPIKE ENTERPRISE,  
AREAS USA FLTP, LLC  
AND  
CITY OF WILDWOOD  
FOR  
UTILITY IMPROVEMENT AT THE OKAHUMPKA SERVICE PLAZA  
SUMTER COUNTY, FLORIDA

THIS AGREEMENT, entered into this \_\_\_ day of \_\_\_\_\_, 2013 by and between FLORIDA'S TURNPIKE ENTERPRISE, hereinafter called the "TURNPIKE", whose mailing address is P.O. Box 613069, Ocoee, Florida 34761-3069, AREAS USA FLTP, LLC hereinafter called "AREAS", whose mailing address is 5301 Blue Lagoon Drive, Suite 690, Miami, Florida 33126 and the CITY OF WILDWOOD, hereinafter called the "CITY", whose mailing address is 100 North Main Street, Wildwood, Florida 34785.

### WITNESSETH

WHEREAS, the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called, "FDOT" and the CITY OF WILDWOOD entered into a Memorandum of Agreement dated March 26, 1993; and

WHEREAS, the March 26, 1993 Memorandum of Agreement provided for FDOT to pay for the cost of construction of an 8" water main from CR 468 to the Plaza, and

WHEREAS, FDOT and the CITY entered into an Amendment to Memorandum of Agreement dated June 17, 1993; and

WHEREAS, the June 17, 1993 Amendment to Memorandum of Agreement provided for a budgetary ceiling on the work to be performed by the City; and

WHEREAS, FDOT and the CITY entered into a second Memorandum of Agreement dated October 21, 1994; and

WHEREAS, the October 21, 1994 Memorandum of Agreement stipulated the City's desire to take over operation and maintenance of the Plaza's water treatment plant to provide temporary service to the federal prison; and

WHEREAS, the October 21, 1994 Memorandum of Agreement stipulated FDOT would not be required to pay water connection, hook-up, impact or development fees to the City; and

WHEREAS, FLORIDA'S TURNPIKE ENTERPRISE is the successor to the agreements between FDOT and the CITY; and

WHEREAS, the TURNPIKE, through its concessionaire AREAS, is currently in the process of renovating the Okahumpka Service Plaza, hereinafter called "PLAZA"; and

WHEREAS, the TURNPIKE and AREAS wish to utilize the real estate on which the water treatment plant is located; and

WHEREAS, the CITY currently maintains and operates a water treatment plant at the PLAZA; and

WHEREAS, the CITY has upgrades that are required by the Florida Department of Environmental Protection on the treatment plant; and

WHEREAS, the CITY currently maintains an 8" water main from CR 468 to the PLAZA; and

WHEREAS, the CITY, the TURNPIKE, and AREAS wish to remove the water treatment plant from service.

NOW, THEREFORE, in consideration of the mutual benefits to be derived from this Agreement and the removal from service of the water treatment plant, the TURNPIKE, AREAS and the CITY hereby agree to the following:

1. The TURNPIKE has determined the existing 8" water main serving the Plaza along with an additional new 8" water main will supply the potable water and fire flow needs of the planned Plaza expansion. The expansion is defined as a 11,500 sf Restaurant/Convenience Store and future hotel up to 80,000 sf. The TURNPIKE, AREAS and the CITY shall share the actual cost of design, permitting, construction, and construction inspection of a new 8" water main from the CITY's existing water main located on CR 468 at its crossing with the Florida Turnpike to the Okahumpka Service Plaza. The new 8" water main will connect on site to the existing 8" water main from the City to create a looped system, with two connections to the existing plaza system and proper isolation valves for reliability, as generally noted in Attachment A.
2. The TURNPIKE, AREAS, and the CITY shall share in the actual cost of the demolition of the existing water treatment plant. Such demolition of the water treatment plant by the CITY will not occur until after the new 8" line has been installed and is operational. The actual cost of demolition shall be included in the actual cost of the Project in determining the necessary contribution of the parties.
3. The estimated cost of the new 8" water main, including design, permitting, construction, construction inspection and demolition of the existing plant (collectively the "Project") is estimated to be \$450,000.
4. The TURNPIKE and the CITY each agree to pay one-third (1/3) of the actual cost of the Project, provided however, that the total cost to the TURNPIKE and CITY shall not exceed \$150,000 each. Payment shall be due and payable within 45 days of written invoice from CITY, subject to the provisions of paragraph 18 and 19 below. Such invoice shall not be sent to TURNPIKE until the project has been completed and written acceptance of completion has been obtained from the TURNPIKE. The TURNPIKE'S obligation to pay is contingent upon an annual appropriation by the Florida Legislature. The TURNPIKE has budgeted for its share of the Project costs within the

FDOT work program on financial project number 422418-1-58-01 for fiscal year 2012 / 2013 in the amount of \$150,000.

5. AREAS agrees to pay one-third (1/3) of the actual cost of the Project unless the total cost of the Project exceeds \$450,000, in which event AREAS will pay \$150,000 plus all Project costs in excess of \$450,000. Such costs will include only those costs incurred for services performed up until the point the Project is accepted by the TURNPIKE. Any costs incurred subsequent to Project acceptance will be considered part of the cost of maintenance as referenced in paragraph 8 below. Payment shall be due and payable within 45 days of written invoice from CITY, which invoice shall not be sent to AREAS until the Project has been completed.
6. The City agrees to have its consultant, Kimley Horn and Associates, Inc., design, permit, bid the construction, and provide construction inspection of the new 8" water main and the demolition of the existing water treatment plant. The cost of the consultant's work shall be included as a part of the actual cost of the Project in determining the necessary contribution of the parties. The design of the Project shall be subject to review and written approval of all three parties to this Joint Participation Agreement, prior to commencement of construction. The CITY shall be responsible for contracting the parties who will perform work for the Project, and the CITY shall use its best efforts to keep the costs of the Project under \$450,000. Once the work is initiated, TURNPIKE and AREAS shall have the right to review and comment on any proposed change orders prior to execution of such change orders by the CITY.
7. The TURNPIKE agrees to provide the CITY with any as-built drawings and surveys of the Turnpike roadway that it has in its possession and to expedite the issuing of a right of way utilization permit for the construction of the new water main.
8. The CITY shall continue to own and maintain the existing 8" water main and shall own and maintain, at the CITY's expense, the new 8" water main upon Project completion and acceptance.
9. The CITY, at its expense, will modify its Water Use Permit (WUP) and transfer the permitted capacity of the existing two (2) wells on site, to the TURNPIKE for irrigation at the Plaza.
10. In performing the work described in this Joint Participation Agreement the City will use its best efforts to complete all work ~~prior to July 31, 2013~~ December 31, 2013 within 270 days of the approval of this agreement.
11. The TURNPIKE and/or AREAS, as determined by the Concession Agreement between them, shall be responsible for water and wastewater monthly user fees as adopted and changed from time to time by the CITY Commission.
12. Upon completion of the work described in this Joint Participation Agreement, the Memorandum of Agreements dated March 26, 1993 and October 21, 1994 and the Amendment to Memorandum of Agreement dated June 17, 1993 between FDOT and the CITY shall become null and void.
13. Due to stipulations in prior agreements between FDOT and the CITY, the CITY, TURNPIKE and AREAS agree that the CITY shall provide TURNPIKE and AREAS with 126 ERCs of water and wastewater capacity. TURNPIKE's historic water use demonstrates the current capacity used by TURNPIKE and AREAS at the Plaza ranges from a low of approximately 8,500 gpd (28.33 ERCs) to a maximum of 19,000 gpd (63.33 ERCs), with an average usage of 13,500 gpd (46 ERCs). The CITY shall reserve and provide TURNPIKE and AREAS with 63 ERCs of capacity.

~~TURNPIKE and AREAS shall be responsible to the City to assure that use of the capacity is in compliance with CITY ordinances and for payment associated with such use.~~

14. Should, in the future, additional capacity, greater than ~~63-126~~ ERCs be required at the Plaza, TURNPIKE and/or AREAS shall be subject to the provisions of the CITY Code of Ordinances, Chapter 19, Article II, Section 19-30 (b) (3) for both water and wastewater connection fees.
15. Due to the TURNPIKE's and AREAS' participation in the construction of the new water main, future additional capacity needs at the Plaza shall not be subject to Transmission Infrastructure Extension fees.
16. The CITY shall provide ~~the following~~ quantifiable, measurable and verifiable units of deliverables for the Project which shall mean deliverables that are provided in accordance with the approved construction plans. ~~Design, survey, permit, bid the construction, and provide construction inspection of the new 8" water main and the demolition of the existing treatment plant. Provide mobilization and maintenance of traffic. Install approximately 7,000 linear feet of 8" water main. Perform approximately 150 linear feet of 8" jack and bore crossing. Install two wet tap connections. Install a control valve. Perform site piping modifications. Demolish and remove from the Service Plaza the existing water treatment plant including all tanks, pumps and piping.~~ Minimum acceptable performance by the CITY shall be the completion of the deliverables described above performed in accordance with approved plans and specifications, all permit clearance having been accomplished, ~~and~~ the new water line being placed in operation as planned and the existing water plant having been demolished.
17. Any invoices submitted by the CITY to the TURNPIKE shall contain detail sufficient for a proper pre-audit and post-audit thereof, based on the quantifiable, measurable and verifiable units of deliverables as described above. Deliverables must be received and accepted in writing by the TURNPIKE's and AREAS' project managers prior to payment. Supporting documentation must establish that the deliverables were received and accepted in writing by the TURNPIKE and AREAS, and that the required minimum level of service to be performed based on the criteria for evaluating successful completion, as indicated above, has been met. Travel costs of the CITY, its contractors, or subcontractors will not be reimbursed by the TURNPIKE or AREAS under this Agreement.
18. The CITY should be aware of the following time frames. Upon receipt, the TURNPIKE has 5 working days to inspect and approve goods and services. The TURNPIKE has 20 days to deliver a request for payment (voucher) to the Department of Financial Services. The 20 days are measured from the latter of the date the invoice is received or the goods or services are received, inspected, and approved. If a payment is not available within 40 days, a separate interest penalty at a rate as established pursuant to Section 55.03(1), F.S., will be due and payable, in addition to the invoice amount, to the CITY. Interest penalties of less than one (1) dollar will not be enforced unless the CITY requests payment. Invoices that have to be returned to the CITY because of preparation errors will result in a delay in the payment. The invoice payment requirements do not start until a properly completed invoice is provided to the TURNPIKE. The interest provisions of this paragraph shall relate solely to payments to be made by TURNPIKE to the CITY.

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19. A Vendor Ombudsman has been established within the ~~Department of Financial Services~~ Division of Consumer Services. The duties of this individual include acting as an advocate for participants who may be experiencing problems in obtaining timely payment from a state agency. The Vendor Ombudsman may be contacted at (850) 413-5516 or by calling the Department of Financial Services Hotline at 1-877-693-5236.
20. Records of costs incurred under the terms of this Agreement shall be maintained and made available upon request to the TURNPIKE at all times during the period of this Agreement and for five years after final payment is made. Copies of these documents and records shall be furnished to the TURNPIKE upon request. Records of costs incurred include the CITY's general accounting records and the Project records, together with supporting documents and records of the contractor and all subcontractors performing work on the Project, and all other records of the contractor and subcontractors considered necessary by the TURNPIKE for a proper audit of costs.
21. Because this Agreement calls for the provision of services in excess of \$25,000.00 and, potentially, a term for a period of more than one year, the provisions of Section 339.135(6)(a), F.S., are hereby incorporated: the TURNPIKE (Department of Transportation), during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The TURNPIKE shall require a statement from the Comptroller of the Department of Transportation that such funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding one year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years; and this paragraph shall be incorporated verbatim in all contracts of the TURNPIKE which are for an amount in excess of \$25,000.00 and which have a term for a period of more than one year.
22. In the event any term or provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, all other terms and provisions of this Agreement shall continue to be effective.
23. This Agreement includes all prior and contemporaneous agreements and understandings of the parties with respect to the subject matter of this Agreement.
24. All notices, requests, demands and other communications required or permitted under this Agreement shall be in writing and shall be deemed to have been duly given, made and received when delivered (personally, by courier service such as Federal Express, or by other messenger) against receipt or upon actual receipt of registered or certified mail, postage prepaid, return receipt requested, addressed as set forth below:

(a) If to the CITY:

City of Wildwood  
100 North Main Street  
Wildwood, Florida 34785  
ATTN: Utility Director

(b) If to the TURNPIKE: Florida Department of Transportation  
Florida Turnpike Enterprise  
P.O. Box 613069  
Ocoee, Florida 34761  
ATTN: Diane Gutierrez-Scaccetti  
Executive Director  
and

Florida Department of Transportation  
Florida Turnpike Enterprise  
P.O. Box 613069  
Ocoee, Florida 34761  
ATTN: Chief Counsel

(c) If to AREAS: Areas USA FLTP, LLC  
5301 Blue Lagoon Drive, Suite 690  
Miami, Florida 33126

25. The Construction Coordinator shall, and Construction Coordinator shall ensure its contractors shall, utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Construction Coordinator during the Term. Additionally, the Construction Coordinator shall require its contractors to expressly require any subcontractors performing work or providing services pursuant to the Agreement to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the Term.

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**IN WITNESS WHEREOF**, authorized representatives of each of the Parties have executed this Agreement and such Agreement is to be effective as of the date of execution by the City set forth below.

Signed, sealed and delivered in the presence of:

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
WITNESS

**CITY OF WILDWOOD**

BY: \_\_\_\_\_  
Ed Wolf, Mayor

ATTEST

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

Date: \_\_\_\_\_

State of \_\_\_\_\_

County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2013, by Ed Wolf, Mayor of the **City of Wildwood**, who has produced \_\_\_\_\_ as identification or is personally known to me.

\_\_\_\_\_

Notary Public, State of Florida  
Commission #  
My Commission Expires:

(Additional signatures and acknowledgement appear on the following page.)

DRAFT

ATTEST:

**FLORIDA'S TURNPIKE ENTERPRISE**

BY: \_\_\_\_\_

By: \_\_\_\_\_

APPROVED:

BY: \_\_\_\_\_

Attorney

BY: \_\_\_\_\_

Fiscal

**AREAS USA FLTP, LLC**

By: \_\_\_\_\_  
Xavier Rabell

\_\_\_\_\_  
Printed

Title: President

Attest: \_\_\_\_\_

Printed: \_\_\_\_\_  
Title: \_\_\_\_\_

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FOR TURNPIKE USE ONLY

APPROVED:

LEGAL REVIEW:

\_\_\_\_\_

\_\_\_\_\_

Procurement Office

<C:\Users\bphillips\Documents\Water Division\Okahumpka Service Plaza\Okahumpka Agreement 6-28-13.docx>

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**BILLS FOR APPROVAL**  
**City of Wildwood, Florida**  
**July 8, 2013**

3.f.1.  
Page 1 of 5

**CITY COMMISSION-LEGISLATIVE DEPARTMENT**

1	PGIT	Workers Comp Insurance	\$	7.31
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**CITY MANAGER-EXECUTIVE DEPARTMENT**

2	Payroll	June 16, 2013 Pay Period - 2 Employees	\$	6,268.19
4	Bright House	Internet Service	\$	17.94
5	Department of Management Services	Telephone Service	\$	6.55
6	Department of Management Services	Telephone Service	\$	70.75
7	EGP	Per Copy Maintenance	\$	80.00
8	Martronics	Batteries	\$	43.87
9	PGIT	Workers Comp Insurance	\$	23.01

**CITY CLERK-FINANCIAL & ADMINISTRATIVE DEPARTMENT**

10	Payroll	June 16, 2013 Pay Period - 4 Employees	\$	10,217.43
11	Alice Borrack	Personal Vehicle Use	\$	14.80
12	Bright House	Internet Service	\$	35.81
13	Capital Office Products	Office Supplies	\$	20.46
14	Century Link	Telephone Service	\$	43.31
15	Department of Management Services	Telephone Service	\$	6.55
16	Department of Management Services	Telephone Service	\$	115.77
17	Duke Energy	Electric Service	\$	1,758.77
18	EGP	Per Copy Maintenance	\$	34.79
19	IMS	Software Maintenance	\$	413.00
20	Maggio Enterprises, Inc	Paper Products	\$	75.96
21	Office Depot	Office Supplies	\$	1.08
22	PGIT	Workers Comp Insurance	\$	38.14
23	Pitney Bowes	Postage Meter Rental, Ink Cartridges	\$	262.49
24	Sumter County Clerk	Recording of Quit Claim Deed	\$	18.50
25	Terminix	Pest Control	\$	71.50
26	Unifirst	Rugs	\$	24.62
27	Villages Technology Solutions Group	Technical Support - All General Departments	\$	487.50
28	Waste Management	Tipping Fee	\$	184.07
29	Wildwood Ace Hardware	Caulk, Shims, Closet Flng, Wax Ring, Fasteners	\$	13.56

**DEVELOPMENT SERVICES**

30	Payroll	June 16, 2013 Pay Period - 4 Employees	\$	8,876.48
31	Bright House	Internet Service	\$	35.88
32	Capital Office Products	Office Supplies	\$	278.14
33	Department of Management Services	Telephone Service	\$	6.55
34	Department of Management Services	Telephone Service	\$	70.75
35	EGP	Per Copy Maintenance	\$	37.79
36	Jason McHugh	Personal Vehicle Use	\$	67.28
37	Office Depot	Office Supplies	\$	4.44
38	PGIT	Workers Comp Insurance	\$	37.00

**HUMAN RESOURCES**

39	Payroll	June 16, 2013 Pay Period - 1 Employees	\$	2,016.16
40	Bright House	Internet Service	\$	8.97
41	Capital Office Products	Office Supplies	\$	129.60
42	Department of Management Services	Telephone Service	\$	6.71
43	Department of Management Services	Telephone Service	\$	93.26
44	EGP	Per Copy Maintenance	\$	129.60
45	Federal Express	Postage	\$	54.45
46	Office Depot	Office Supplies	\$	165.01
47	PGIT	Workers Comp Insurance	\$	5.47

**POLICE DEPARTMENT**

48	Payroll	June 16, 2013 Pay Period - 32 Employees	\$ 65,872.72
49	A-Line Fire & Safety, Inc	Test and Recharge Fire Extinguishers	\$ 306.00
50	CDW-G	AC Power Adapter	\$ 687.40
51	Central Sumter Utility LLC	Electric Service - Brownwood	\$ 38.27
52	Century Link	Telephone Service - Mitel 3000 Key System	\$ 58.46
53	Chief Supply Law Enforcement Supply	Targets	\$ 132.50
54	Communications International	Radar Calibrations	\$ 892.00
55	Department of Management Services	Telephone Service	\$ 46.15
56	Department of Management Services	Telephone Service	\$ 58.91
57	Department of Management Services	Telephone Service	\$ 270.71
58	Duke Energy	Electric Service	\$ 1,125.14
59	Dynometer	Speedometer Calibration Certification	\$ 480.00
60	EGP	Per Copy Maintenance	\$ 167.99
61	Federal Express	Postage	\$ 18.21
62	Intech Worldwide	Support Contract January 2013 thru June 2013	\$ 1,797.50
63	Key Scales Ford	Fuel Sensor	\$ 106.17
64	L3 Communications Mobile-Vision, Inc	Flashback 3 Digital Video System	\$ 12,479.90
65	Law Enforcement Trust Fund	Reimburse Account for Sumter County Task Force	\$ 5,685.00
66	Shayla Lawson	Tuition Reimbursement	\$ 840.00
67	Maggio Enterprises, Inc	Paper Products	\$ 134.90
68	Petty Cash	Replenishment	\$ 135.31
69	PGIT	Workers Comp Insurance	\$ 2,706.56
70	Sumter County Clerk	Recording of Traffic Enf Agreement, Code Enf	\$ 174.50
71	Sumter County Times	Ad	\$ 22.90
72	Sumter Electric	Electric Service	\$ 213.21
73	Terminix	Pest Control	\$ 29.00
74	U.S. HealthWorks	PE Basic, DS-Urine, COC - New Hires	\$ 195.00
75	Villages Property Management	A/C Maintenance Reimbursement	\$ 38.52
76	Wildwood Ace Hardware	Dustpan, Key, Master, Lens, Fasteners, Velcro, Etc	\$ 79.79
77	Stacey Wrightham	Falcon AAA FDLE	\$ 107.35

**STREET DEPARTMENT**

78	Payroll	June 16, 2013 Pay Period - 9 Employees	\$ 16,468.33
79	Bright House	Internet Service	\$ 41.72
80	C.R. 466A Landfill Facility, LLC	Tipping Fee	\$ 1,595.97
81	Department of Correction	Work Squad	\$ 14,501.00
82	Department of Management Services	Telephone Service	\$ 0.79
83	Department of Management Services	Telephone Service	\$ 45.02
84	Duke Energy	Electric Service	\$ 5,447.11
85	EGP	Per Copy Maintenance	\$ 0.04
86	Harris Tree Service, Inc.	Tree Trimming Throughout City	\$ 2,400.00
87	Maggio Enterprises, Inc	Paper Products	\$ 149.31
88	Mid Florida Tractor & Equipment Company	Pre C Bowl, Flange, Gasket	\$ 126.59
89	Murdock's Alternators & Starters	Alternator	\$ 145.00
90	PGIT	Workers Comp Insurance	\$ 1,887.96
91	Terminix	Pest Control	\$ 12.50
92	Triple Crown Trailers	Trailer	\$ 2,434.00
93	Unifirst	Uniforms	\$ 258.40
94	United Refrigeration, Inc	Repair on Ice Machine	\$ 220.00
95	U.S. HealthWorks	DS Urine 10 Panel COC Alcohol - Post Accident	\$ 75.00
96	Wildwood Ace Hardware	Snap Bolt, Concrete Mix, Pallet, Mason Wheel, Etc	\$ 256.11
97	Wildwood Mower and Saw, Inc	Drive Shaft, Trimmer Heads, Trimmer, Kohler CAT	\$ 7,540.00

**FLEET SERVICES**

98	Payroll	June 16, 2013 Pay Period - 2 Employees	\$ 5,138.59
99	Big Truck Parts	Filters	\$ 118.52
100	Bright House	Internet Service	\$ 41.73
101	Department of Management Services	Telephone Service	\$ 0.79
102	Department of Management Services	Telephone Service	\$ 45.02

103	Duke Energy	Electric Service	\$	86.17
104	EGP	Per Copy Maintenance	\$	0.60
105	Fastenal	Nuts and Bolts	\$	44.61
106	Newsome Oil Company	Kendal Super 15W-40 Oil	\$	514.25
107	PGIT	Workers Comp Insurance	\$	522.75
108	Terminix	Pest Control	\$	12.50
109	Unifirst	Uniforms	\$	90.90
110	Wildwood Ace Hardware	Blade Receipt, Grind Wheel, Fasteners	\$	16.78

**COMMUNITY RE-DEVELOPMENT**

111	Bright House	Internet Service	\$	8.97
112	Department of Management Services	Telephone Service	\$	6.54
113	Department of Management Services	Telephone Service	\$	70.72
114	PGIT	Workers Comp Insurance	\$	4.69

**PARKS AND RECREATION**

115	Payroll	June 16, 2013 Pay Period - 4 Employees	\$	5,866.74
116	Rainer Berry	Food Truck Night Entertainment	\$	250.00
117	Bright House	Internet Service	\$	8.97
118	Culligan	Water Softener Rental - Lake Deaton - Wigglesworth	\$	32.95
119	Department of Correction	Work Squad	\$	8,700.60
120	Department of Management Services	Telephone Service	\$	6.55
121	Department of Management Services	Telephone Service	\$	115.77
122	Duke Energy	Electric Service	\$	103.28
123	EGP	Per Copy Maintenance	\$	28.75
124	HD Supply WaterWorks	36x100 Silt Fence	\$	36.39
125	Key Scales Ford	Sensor	\$	109.67
126	Kohn Construction & Electric, Inc	AC Repair - Concession Stand	\$	1,890.00
127	Jesus Leonor	Reimb. Of City Plants planted at City Hall	\$	32.06
128	Martronics	Batteries	\$	40.03
129	Nature Calls Inc.	Port O Let Rental	\$	505.00
130	PGIT	Workers Comp Insurance	\$	354.30
131	Resource One	Cleaning Supplies	\$	105.19
132	Salescorp of Florida	Gatorade	\$	128.00
133	Sparr Building and Farm Supply	Line Marker, Shovels	\$	246.13
134	Sumter Electric	Electric Service	\$	32.33
135	TurfMasters and Associates, Inc	Lawn Fertilization & Pest Control 10 - Ballfields	\$	3,065.00
136	Unifirst	Uniforms	\$	117.22
137	Wildwood Ace Hardware	Bolts, Caulk, Boot Shanks, Chlorine, GFCI, Etc	\$	303.62
138	Wildwood Mower and Saw, Inc	Blades, Choke, Trimmer Line, Gaskets	\$	219.62

**COMMUNITY CENTER & OXFORD COMMUNITY CENTER**

139	Bright House	Internet Service	\$	117.45
140	Elaine Butler	Refund Security Deposit - Wildwood Community Ctr	\$	100.00
141	Century Link	Telephone Service	\$	396.48
142	Comatasha Foster	Refund Security Deposit - Wildwood Community Ctr	\$	50.00
143	John Deere Landscapes	Roundup, Spreader Sticker, White Athletic Paint	\$	245.44
144	Kohn Construction & Electric, Inc	AC Repair - Wildwood Community Center	\$	171.00
145	Leesburg Rent-All	Ditch Witch	\$	72.00
146	Jesus Leonor	Refund Security Deposit - Wildwood Community Ctr	\$	100.00
147	Oracle Elevator	Regular Service	\$	427.89
148	Elijah Patterson	Refund Security Deposit - Wildwood Community Ctr	\$	50.00
149	Barbara Prentice	Refund Security Deposit - Wildwood Community Ctr	\$	100.00
150	Resource One	Cleaning Supplies	\$	105.19
151	Terminix	Pest Control	\$	54.00
152	Unifirst	Rugs	\$	65.66
153	Gerald Vaughn	Refund Security Deposit - Oxford Community Ctr	\$	102.80
154	Tina Ward	Refund Security Deposit - Wildwood Community Ctr	\$	100.00
155	Wildwood Ace Hardware	End bolts, Broom, Terry Towels, Bleach	\$	40.44
156	Wildwood County Resort	Refund Security Deposit - Oxford Community Ctr	\$	302.80

**PHYSICAL ENVIRONMENT ADMINISTRATIVE DEPARTMENT**

157	Payroll	June 16, 2013 Pay Period - 3 Employees	\$	5,106.07
158	Bright House	Internet Service	\$	26.91
159	Capital Office Products	Office Supplies	\$	40.94
160	Century Link	Telephone Service	\$	20.20
161	Paula Corbin	Personal Vehicle Use - Post Office Leesburg	\$	14.13
162	Department of Management Services	Telephone Service	\$	6.55
163	Department of Management Services	Telephone Service	\$	70.75
164	Duke Energy	Electric Service	\$	671.34
165	EGP	Per Copy Maintenance	\$	21.75
166	IMS	Software Maintenance	\$	115.00
167	Maggio Enterprises, Inc	Paper Products	\$	75.96
168	Office Depot	Office Supplies	\$	77.64
169	PGIT	Workers Comp Insurance	\$	18.96
170	Pitney Bowes	Postage Meter Rental, Ink Cartridges	\$	262.48
171	Terminix	Pest Control	\$	13.50
172	Unifirst	Rugs	\$	24.62
173	Wildwood Ace Hardware	Caulk, Shims, Closet Flng, Wax Ring, Fasteners	\$	13.55
174	Deniese Woods	Personal Vehicle Use - Post Office Leesburg	\$	14.13

**UTILITY DEPARTMENT**

175	Payroll	June 16, 2013 Pay Period - 23 Employees	\$	44,016.29
176	Acton	Rent for Modular thru 07/25/13	\$	600.27
177	Besco Electric Supply Company	Breaker	\$	76.35
178	Brenntag	Liquid Chlorine	\$	992.06
179	Century Link	Telephone Service	\$	70.26
180	City Electric Supply Co.	Bulbs	\$	109.44
181	Culligan	Bottled Water	\$	48.73
182	Data Flow Systems, Inc	Repairs on RIM006-34	\$	1,704.00
183	Department of Correction	Work Squad	\$	5,800.40
184	Department of Management Services	Telephone Service	\$	3.07
185	Department of Management Services	Telephone Service	\$	135.06
186	Duke Energy	Electric Service	\$	295.16
187	EGP	Per Copy Maintenance	\$	10.58
188	Fort Bend Services, Inc.	Polymer	\$	2,880.00
189	HD Supply WaterWorks	MJ Reg, T-Heads, Eyebolts, Hex Nuts, Washers, Etc	\$	188.26
190	Martronics	Batteries	\$	120.18
191	Odyssey Manufacturing	Hypochlorite Solution	\$	2,629.44
192	Office Depot	Office Supplies	\$	308.13
193	PGIT	Workers Comp Insurance	\$	1,918.43
194	Plant Technicians	Environmental Testing	\$	140.00
195	Sumter County Health Dept	Hepatitis Shots	\$	555.70
196	Sumter County Times	Newspaper Subscription	\$	26.00
197	Sumter Electric	Electric Service	\$	2,402.72
198	Sunstate Meter & Supply, Inc.	Backflow Preventor, Marking Ribbon, Battery Pack	\$	716.72
199	Terminix	Pest Control	\$	27.00
200	The Dumont Company, Inc	Hypochlorite Solution, ClearFlow	\$	4,476.75
201	Tommy Hays A/C Refrigeration	(2) Three Ton A/C Units, Install Labor, 2 Thermostats	\$	2,250.00
202	Unifirst	Uniforms	\$	753.47
203	UPS	Postage	\$	32.72
204	Villages Technology Solutions Group	Technical Support - All Enterprise Departments	\$	487.50
205	VWR	OP Sciss	\$	49.23
206	Wildwood Ace Hardware	Padlock, Filters, Broom, Ratchet, Nozzles, Pulley, Etc	\$	667.53
207	Wildwood Mower and Saw, Inc	Blades, Choke, Trimmer Line, Gaskets	\$	111.32
208	Xpress Materials, LLC	RSI Flyash	\$	173.70

**MISCELLANEOUS**

**GREENWOOD CEMETERY**

**ATTORNEYS/CONSULTANTS/SURVEYORS**

209	Jerri A Blair	Attorney	\$ 10,173.26
210	Kimley-Horn & Associates, Inc	Engineers	\$ 16,662.14

**FUEL INVENTORY**

211	Stone Petroleum Products, Inc	Unleaded Gasoline	\$ 6,329.58
212	Stone Petroleum Products, Inc	Ultra LSD Fuel	\$ 1,734.37

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<b>TOTAL</b>			<b>\$ 328,777.94</b>
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CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

S E A L

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

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

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## **CITY OF WILDWOOD**

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### **CITY COMMISSION REPORT**      Commission Meeting Date: July 8, 2013

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Subject:                      Okahumpka Service Plaza Water Treatment Plant  
                                    Kimley-Horn and Associates, Inc.  
                                    Individual Project Order No. 22

Submitted By:              Bruce H. Phillips, PE, PLS, Utility Director

Department:                Utility Department

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Staff Recommendation (Motion Ready): Recommend approval of Individual Project Order (IPO) No. 22 to Kimley-Horn and Associates, Inc. in the amount of \$64,050 for design, permitting and contract administration for the construction of a new parallel 8" water main from CR 468 to the Okahumpka Service Plaza (Plaza).

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#### **BACKGROUND:**

- The City of Wildwood (COW) has approved a Joint Participation Agreement (JPA) with Florida's Turnpike Enterprise (TURNPIKE) and AREAS USA FLTP, LLC (AREAS) to decommission the existing water treatment plant and construct a parallel 8" water main from the intersection of Florida's Turnpike and CR 468 to the Plaza.

#### **FINDING, CONCLUSIONS AND RECOMMENDATIONS:**

##### **FINDINGS:**

- The JPA provides for the cost of design, permitting and construction to be split three ways, one-third to COW, one-third to the TURNPIKE and one-third to AREAS.
- AREAS to pay any costs exceeding \$450,000.
- COW to upfront the cost of design and construction.

##### **CONCLUSIONS:**

- The costs to operate and maintain the water treatment plant at the plaza is approximately \$22,000/year.

##### **LEGAL REVIEW:**

- The IPO has been reviewed by the City Attorney for form and legality.

##### **RECOMMENDATIONS:**

- Staff recommends approval of the IPO.

**FISCAL IMPACT:**

- This work is not included in the FY 12/13 budget, design and permitting will be during the FY.

**ALTERNATIVES:**

- The alternative is to correct the deficiencies at the plant and continue to operate the facility.

**SUPPORT MATERIAL:**

- Copy IPO No. 22.

**INDIVIDUAL PROJECT ORDER NUMBER 22**  
**February 14, 2013**

Describing a specific agreement between Kimley-Horn and Associates, Inc. (KHA), and The City of Wildwood (the Client or the City) in accordance with the terms of the Master Agreement for Continuing Professional Services dated January 7, 2009, which is incorporated herein by reference.

***Identification of Project:***

Project: Okahumpka Water Main Extension

Client: City of Wildwood

***General Category of Services:***

The City intends to decommission the Okahumpka Water Treatment Plant (WTP) and construct an 8" water main from CR 468 to the Okahumpka Service Plaza, a distance of approximately 7,000 linear feet. The new 8" water main will allow the City to take the Okahumpka WTP off-line and still provide potable water service to the Okahumpka Service Plaza.

KHA will prepare construction plans and specifications for the design of the new 8" water main from the connection point at CR 468 to a connection point at the Okahumpka Service Plaza. KHA will include the decommissioning and removal of the Okahumpka WTP in the plans and specifications. The removal will be limited to only WTP components. WTP components include high service pumps, hydropneumatic tank, ground storage tank, and chlorine injection pumps. Services for electrical components will be terminated at the electrical breaker panel.

KHA will permit the water line extension design with the Florida Department of Environmental Protection (FDEP) and the Florida Turnpike Authority (Turnpike). KHA will permit the removal of the Okahumpka WTP from the City's distribution system with FDEP. KHA will include work related to the SWFWMD Water Use Permit (WUP) modifications under the approved IPO #20.

***Specific Scope of Basic Services:*****Task 1 – Survey**

- A. KHA will establish the project corridor and coordinate with a professional land surveyor sub-consultant to prepare a topographic route survey along the project limits.
- B. The City will locate and mark existing water and wastewater utilities within the project limits. Other existing utilities will be located by Sunshine One-Call.
- C. The survey scope will consist of the following elements:
  1. Location of any improvements that will interfere with the design or construction of the water main, including all trees 6" or larger.
  2. Locate all surface evidence of utilities along the route, as well as utility marks as delineated by requesting through Sunshine State One Call. Other than obtaining inverts of accessible manholes, drop inlets, etc. underground location of utilities will be shown as delineated by others. Power poles will be located with overhead wires.
  3. The survey will cover the point of connection at CR 468, from the edge of pavement of the north bound lanes of the Florida Turnpike to the right-of-way, and the point of connection at the Okahumpka Service Plaza. Any monumentation evidence of existing rights-of-way along the route will be located.
  4. Horizontal and vertical control will be established at approximately 1000' foot intervals along the route.

5. Vertical datum will be based on NAVD 88.
6. Survey will be done in Florida West State Plane Coordinate System (NAD 83).

#### Task 2 – Geotechnical Sub-consultant

- A. KHA will utilize a geotechnical professional consultant to perform up to 16 soil borings (up to 5 feet deep each). The purpose of the borings is to establish soil quality for trenching and back fill requirements along with estimating unsuitable soil quantities.

#### Task 3 – Electrical Sub-consultant

- A. KHA will utilize an electrical engineering sub-consultant to prepare plan notes and specifications for electrical service terminations to existing water treatment plant equipment. This task is limited to terminations back to the existing breaker panels. Any electrical demolition beyond the installed breaker panels is not included but can be performed as an additional service.

#### Task 4 – Construction Plans, Specifications, and Permitting

- A. KHA will prepare construction plans, specifications, and an opinion of probable cost for the water main extensions/relocations and water plant decommissioning.
- B. KHA will coordinate with utility owners identified by Sunshine One-Call to determine potential utility conflicts.
- C. KHA will submit 90% and 100% plans, specifications, and an opinion of probable cost for the City and Turnpike Authority review.
- D. KHA will provide two hard copy sets of final drawings and electronic versions in AutoCAD and PDF format.
- E. KHA will prepare an “FDEP Notice of Intent to Use the General Permit for Construction of Water Main Extensions for PWSs” application as required for all new water main construction.
- F. KHA will prepare a submittal to FDEP to take the Okahumpka WTP offline.
- G. KHA will prepare a Turnpike Authority right of way utility permit as required for the water main along the Florida Turnpike.
- H. All permit application fees will be paid by the City.

#### Task 5 – Bid Administration

- A. KHA will prepare bid packages consisting of plans and specifications (in EJCDC format) to be included in the City’s bid packages.
- B. The City will prepare and advertise the Bid Notification. KHA will provide the technical information required for the notification language.
- C. KHA will conduct a pre-bid meeting at the project site with prospective bidders.
- D. KHA will administer distribution of the bid packages and maintain a log of the issued bid packages. KHA will charge those requesting bid packages a fee for each set of issued documents. The fee is intended to cover the cost of reproduction, shipping and handling of the bid packages. The City will be provided with two (2) bid package sets at no cost.
- E. KHA will respond to Request for Information’s (RFIs) and prepare bid addendums as necessary during the bid process.
- F. KHA will review the bid responses and tabulate the results. KHA will provide the City with a written bid tabulation record along with a selection recommendation.

Task 6 – Construction Administration

- A. *Pre-Construction Conference.* The Consultant will conduct a Pre-Construction Conference prior to commencement of work at the Site.
- B. *Visits to Site and Observation of Construction.* The Consultant will provide on-site construction observation services during the construction phase. The Consultant will make visits at intervals as required to ensure that the work is being performed in accordance with the plans and specifications. Additional observations may be required based on unforeseen conditions and contractor performance. Such visits and observations by the Consultant are not intended to be exhaustive or to extend to every aspect of Contractor's work in progress. Observations are to be limited to spot checking, selective measurement, and similar methods of general observation of the Work based on the Consultant exercise of professional judgment. Based on information obtained during such visits and such observations, the Consultant will evaluate whether Contractor's work is generally proceeding in accordance with the Contract Documents, and the Consultant will keep Client informed of the general progress of the Work.

The purpose of the Consultant site visits will be to enable the Consultant to better carry out the duties and responsibilities specifically assigned in this Agreement to the Consultant, and to provide Client a greater degree of confidence that the completed Work will conform in general to the Contract Documents. The Consultant shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall the Consultant have authority over or responsibility for the means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, nor for any failure of Contractor to comply with laws and regulations applicable to Contractor's furnishing and performing the Work. Accordingly, the Consultant neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.

- C. *Recommendations with Respect to Defective Work.* The Consultant will recommend to Client that Contractor's work be disapproved and rejected while it is in progress if, on the basis of such observations, the Consultant believes that such work will not produce a completed Project that conforms generally to Contract Documents.
- D. *Clarifications and Interpretations.* The Consultant will respond to reasonable and appropriate Contractor requests for information and issue necessary clarifications and interpretations of the Contract Documents to Client as appropriate to the orderly completion of Contractor's work. Any orders authorizing variations from the Contract Documents will be made by Client.
- E. *Change Orders.* KHA may recommend Change Orders to Client, and will review and make recommendations related to Change Orders submitted or proposed by the Contractor.
- F. *Shop Drawings and Samples.* The Consultant will review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to submit, but only for conformance with the information given in the Contract Documents. Such review and approvals or other action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs.
- G. *Substitutes and "or-equal."* Evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor in accordance with the Contract Documents, but subject to the provisions of applicable standards of state or local government entities.
- H. *Inspections and Tests.* The Consultant may require special inspections or tests of Contractor's work as KHA deems appropriate, and may receive and review certificates of inspections within the Consultant's area of responsibility or of tests and approvals required by laws and regulations or the Contract Documents. The Consultant's review of such certificates will be for the purpose of determining that the results certified indicate compliance with the Contract Documents and will not constitute an independent evaluation that the content or procedures of such inspections, tests, or

approvals comply with the requirements of the Contract Documents. The Consultant shall be entitled to rely on the results of such tests and the facts being certified.

- I. *Disagreements between Client and Contractor.* The Consultant will, if requested by Client, render written decision on all claims of Client and Contractor relating to the acceptability of Contractor's work or the interpretation of the requirements of the Contract Documents pertaining to the progress of Contractor's work. In rendering such decisions, the Consultant shall be fair and not show partiality to Client or Contractor and shall not be liable in connection with any decision rendered in good faith in such capacity.
- J. *Applications for Payment.* Based on its observations and on review of applications for payment and accompanying supporting documentation, the Consultant will determine the amounts that the Consultant recommends Contractor be paid. Such recommendations of payment will be in writing and will constitute the Consultant's representation to Client, based on such observations and review, that, to the best of the Consultant's knowledge, information and belief, Contractor's work has progressed to the point indicated and that such work-in-progress is generally in accordance with the Contract Documents subject to any qualifications stated in the recommendation. In the case of unit price work, the Consultant's recommendations of payment will include determinations of quantities and classifications of Contractor's work, based on observations and measurements of quantities provided with pay requests.

By recommending any payment, the Consultant shall not thereby be deemed to have represented that its observations to check Contractor's work have been exhaustive, extended to every aspect of Contractor's work in progress, or involved detailed inspections of the Work beyond the responsibilities specifically assigned to the Consultant in this Agreement. It will also not impose responsibility on the Consultant to make any examination to ascertain how or for what purposes Contractor has used the moneys paid on account of the Contract Price, nor to determine that title to any portion of the work in progress, materials, or equipment has passed to Client free and clear of any liens, claims, security interests, or encumbrances, nor that there may not be other matters at issue between Client and Contractor that might affect the amount that should be paid.

- K. *Substantial Completion.* The Consultant will, promptly after notice from Contractor that it considers the entire Work ready for its intended use, in company with Client and Contractor, conduct a site visit to determine if the Work is substantially complete. Work will be considered substantially complete following satisfactory completion of all items with the exception of those identified on a final punch list. If after considering any objections of Client, the Consultant considers the Work substantially complete, the Consultant will notify Client and Contractor.
- L. *Final Notice of Acceptability of the Work.* The Consultant will conduct a final site visit to determine if the completed Work of Contractor is generally in accordance with the Contract Documents and the final punch list so that the Consultant may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, the Consultant shall also provide a notice that the Work is generally in accordance with the Contract Documents to the best of the Consultant's knowledge, information, and belief based on the extent of its services and based upon information provided to the Consultant upon which it is entitled to rely.
- M. *Limitation of Responsibilities.* The Consultant shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work. The Consultant shall not have the authority or responsibility to stop the work of any Contractor.
- N. The site observations included in this scope of work is based on an average of 4 hours of site observations and 3 hours of construction coordination each week (5 day work week) over a 90 calendar day construction duration.

***Additional Services if required:***

Services requested that are not specifically included will be provided under a new and separate IPO agreement or can be performed on an hourly basis upon written authorization. The following services specifically

excluded from the above scope of services can be provided as an “Additional Service”.

- Additional design and/or permitting services not noted above,
- Construction phase services, inspections, etc.
- Environmental services,
- FDOT Maintenance of Traffic Plans.

**Schedule:**

KHA will begin services upon receipt of an executed IPO. The above services will be provided as expeditiously as possible to meet a mutually agreed upon schedule.

**Method of Compensation:**

The Engineer will complete the above scope of services for a lump sum fee of \$64,050, inclusive of expenses. A breakdown of fee by task is as follows:

<b>Task</b>	<b>Description</b>	<b>Lump Sum Fee</b>
Task 1	Survey Sub-consultant	\$8,800
Task 2	Geotechnical Sub-consultant	\$2,000
Task 3	Electrical Sub-consultant	\$1,500
Task 4	Construction Plans, Specifications, and Permitting	\$27,000
Task 5	Bid Administration	\$5,000
Task 6	Construction Administration	\$19,750
<b>Total:</b>		<b>\$64,050</b>

**Other Special Terms of Individual Project Order:**

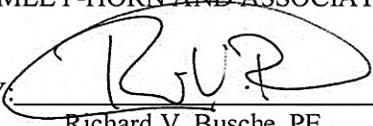
Services provided under this will be invoiced on a monthly basis. All invoices will include a description of services provided.

ACCEPTED:

THE CITY OF WILDWOOD, FLORIDA

KIMLEY-HORN AND ASSOCIATES, INC.

BY: \_\_\_\_\_

BY:  \_\_\_\_\_  
Richard V. Busche, PE

TITLE: \_\_\_\_\_

TITLE: Vice President

DATE: \_\_\_\_\_

DATE: February 14, 2013

June 17, 2013

North Sumter County Utility Dependent District  
c/o Lewis W. Stone, Esq.  
4850 N. Highway 19A  
Mount Dora, Florida 32757

Re: Utility Service to Amazing Grace Lutheran Church

Dear Mr. Stone:

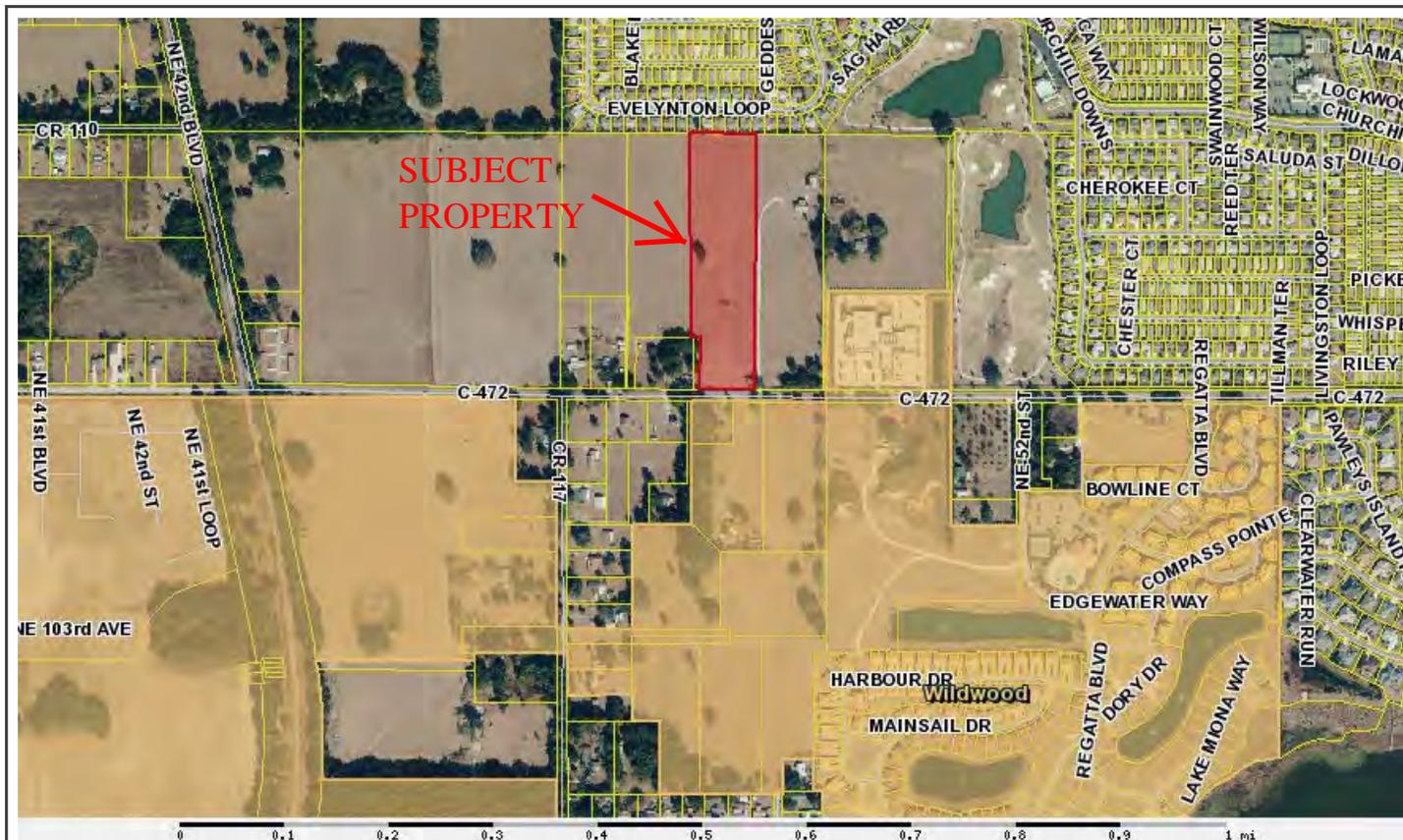
As you are aware, Hal Barrineau, P.E., on behalf of the Amazing Grace Lutheran Church, which is located in Sumter County, approached the City of Wildwood (the "City") regarding the City's ability to provide the church property (the "Property") with potable water and sanitary sewer service. This letter confirms that the City does not have such services available to the Property and does not object to such services being provided to the Property by the North Sumter County Utility Dependent District.

If you should have any questions, please let me know.

Very truly yours,

Bruce Phillips  
City of Wildwood Public Works  
Director



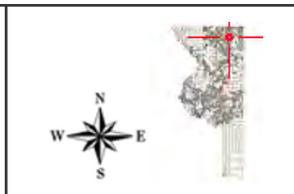


**Sumter County BOCC - GIS**  
 BOCC - Bushnell, FL 33513 | 352-793-0200

NOTES:

Parcel ID: **D20=007**  
**CHURCH: AMAZING GRACE LUTHERAN**  
 4060 CR 108 OXFORD, FL 34484  
 Street: 4886 C-472  
 S/T/R: 20/18/23 COMM AT SE COR OF W1/2 OF SE 1/4 OF NE 1/4 RUN S 89 DEG 32 MIN 29 SEC E 33.75 FT TO POB RUN N 00 DEG 25 MIN 22 SEC E 295  
 Sales

4/1/2012	2449/226	Vacant	\$400,000.00
4/1/2011	2312/634	Vacant	\$100,000.00



This information was derived from data which was compiled by the Sumter County BOCC - GIS. This information should not be relied upon by anyone as a determination of the ownership of property, legal boundary representation, or market value. The map image is not a survey and shall not be used in any Title Search or any official capacity. No warranties, expressed or implied, are provided for the accuracy of the data herein, its use, or its interpretation. This information was last updated: 6/26/2013 and may not reflect the data currently on file at our office.



## CITY COMMISSION OF THE CITY OF WILDWOOD

### EXECUTIVE SUMMARY

**SUBJECT:** SP 1305-01 Hughes Brothers Construction Office

**REQUESTED ACTION:** Site Plan approval (SP 1305-01) to construct a 9,600 sq. ft. construction office and shop with associated improvements and parking (a portion of Parcel G07=133, now parcel G07=274).

Work Session (Report Only)  
 Regular Meeting

**DATE OF MEETING:** 7/8/2013  
 Special Meeting

**CONTRACT:**  N/A

Effective Date: \_\_\_\_\_  
Managing Division / Dept: \_\_\_\_\_

Vendor/Entity: \_\_\_\_\_  
Termination Date: \_\_\_\_\_

**BUDGET IMPACT:** \_\_\_\_\_

Annual  
 Capital  
 N/A

**FUNDING SOURCE:** \_\_\_\_\_

**EXPENDITURE ACCOUNT:** \_\_\_\_\_

### HISTORY/FACTS/ISSUES:

The applicant seeks Site Plan approval from the City Commission to construct a 9,600 sq. ft. construction office and shop with associated improvements and parking (a portion of Parcel G07=133, now parcel G07=274). **Staff recommends approval of the Site Plan.**

Case SP 1305-01 was considered by the Planning & Zoning Board/Special Magistrate on Thursday, June 27, 2013. The Planning & Zoning Board/Special Magistrate gave a favorable recommendation of the Site Plan to the City Commission.



Melanie D. Peavy, Director  
Development Services Director

**City of Wildwood**  
**Planning & Zoning Board/Special Magistrate**

The case below was heard on Thursday, June 27, 2013 by the Special Magistrate. The applicant seeks approval and favorable recommendation from the Wildwood Planning and Zoning Board/Special Magistrate for the construction of a 9,600 sq. ft. construction office and shop with associated improvements and parking. The property is generally located across from Russell Stover on C-213/Walker Road. . The Engineer of Record is Ed Abshier PE, Abshier Engineering, of Belleview, Florida.

**Case:** SP 1305-01

**Parcel:** A portion of parcel G07=133, now parcel G07=254)

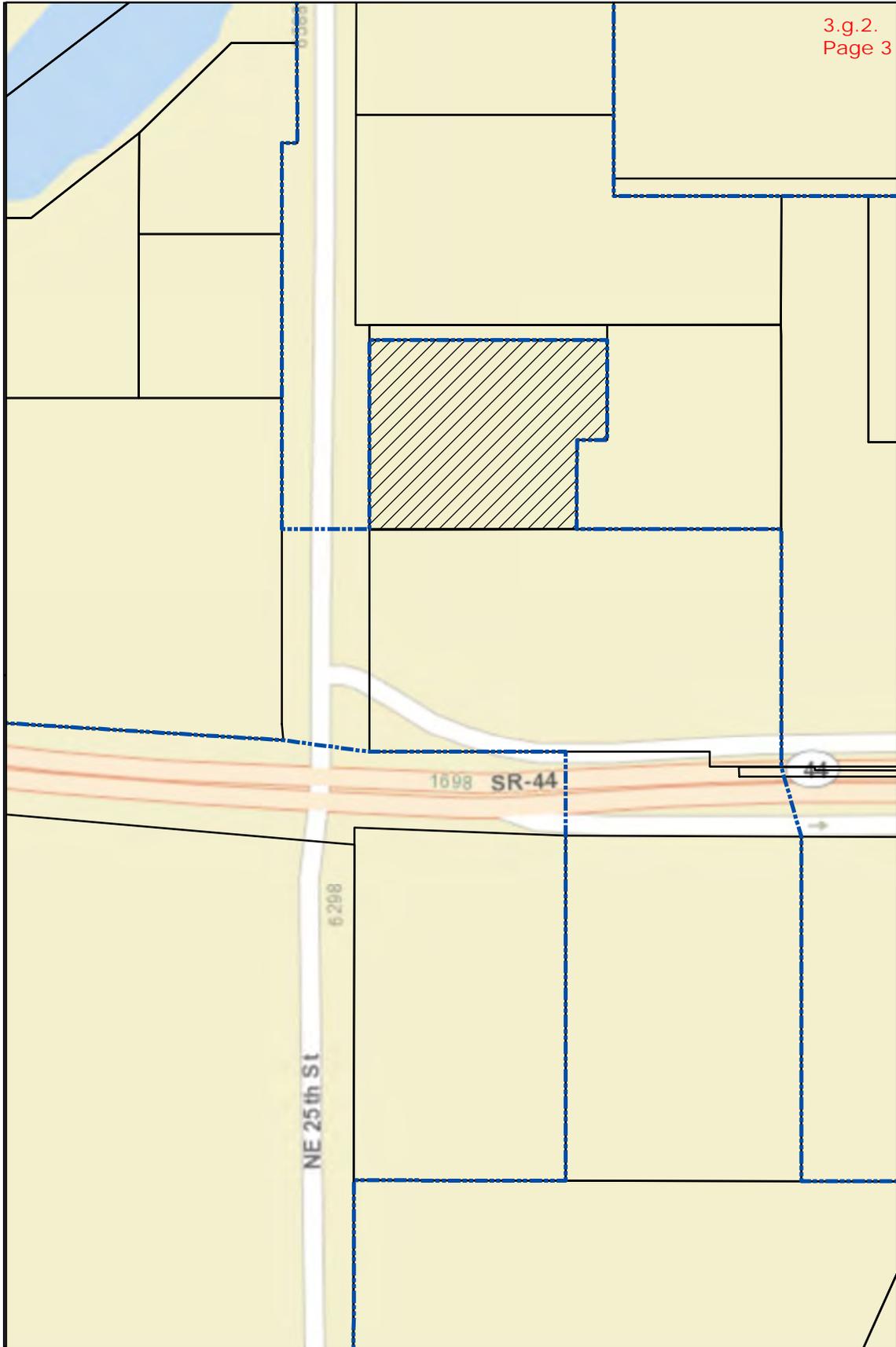
**Owner:** Hughes Brothers Properties, LLC

**Applicant:** Chad Hughes, Manager

Based upon the testimony and information presented, the Special Magistrate recommends approval and favorable recommendation of the Hughes Brothers Construction Office Site Plan, project number SP 1305-01, to the City Commission

**Dated:** June 29, 2013

  
\_\_\_\_\_  
Archie O. Lowry, Jr.  
Special Magistrate, City of Wildwood



F:\TermGIS\Maps\HughesAnnexation.mxd - 5/3/2013 9:15:43 AM - torneal



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



Feet  
0 190 380

LOCATION MAP

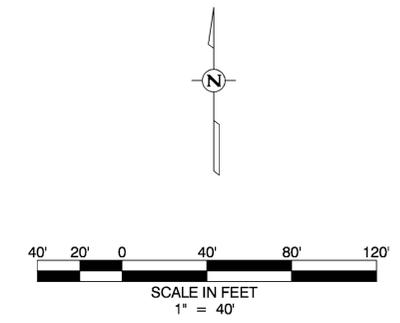
WILDWOOD, FLORIDA

May 2013

HUGHES BROTHERS

THESE DOCUMENTS AS INSTRUMENTS OF SERVICE REMAIN THE PROPERTY OF ABSHIER ENGINEERING, INC. AND NO PART THEREOF MAY BE USED OR REPRODUCED IN ANY FORM WITHOUT WRITTEN PERMISSION.

DATE	REVISIONS	BY
		R.E.A.



### SITE DATA

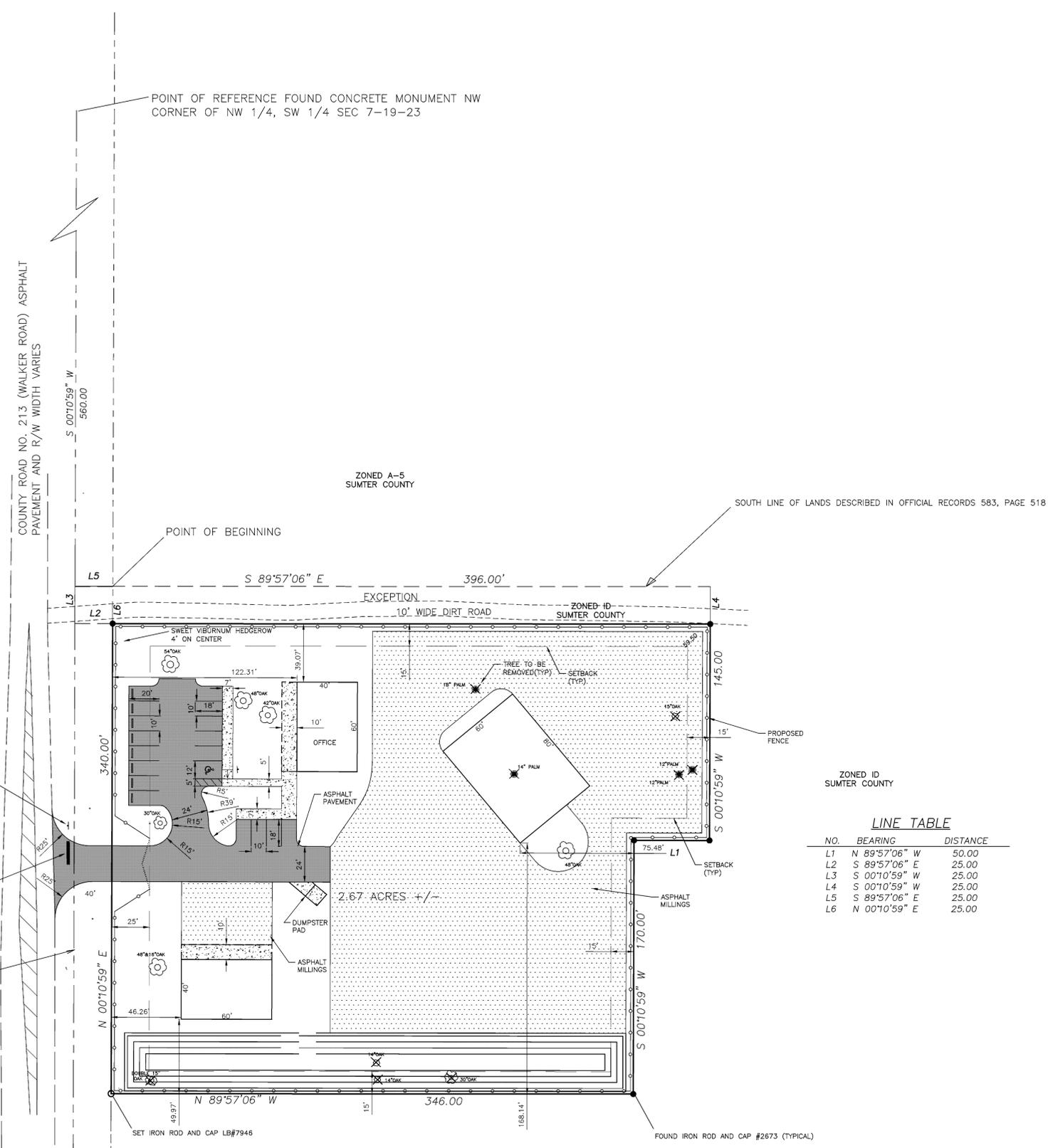
- TOTAL ACRES = ±2.67 ACRES (116,239 S.F.)
- PARCEL # = 007=133
- ZONING = M-1
- PROJECT ADDRESS = WALKER RD - CR 213
- BUILDING TYPE = METAL
- BUILDING(ALL) HEIGHT = 30'
- PARKING SPACES:
  - OFFICE REQUIRED = 7.2 SPACES (3/1,000sf)
  - OTHER REQUIRED = 10.7 SPACES (1/625sf)
  - TOTAL REQUIRED = 18 SPACES
  - PROVIDED = 18 SPACES
- HANDICAP PARKING SPACES:
  - REQUIRED = 1 SPACE
  - PROVIDED = 1 SPACE
- OWNER/DEVELOPER - HUGHES BROTHERS PROPERTIES, LLC  
2236 CR 243  
WILDWOOD, FL 34785  
(352) 399-6829
- ENGINEER - ABSHIER ENGINEERING, INC.  
P.O. BOX 2770  
BELLEVIEW, FL 34421-2770  
(352) 245-8592
- SOIL TYPE - FT. GREEN
- PERMITTING AGENCIES:
  - CITY OF WILDWOOD
  - F.D.E.P.
- WATER AND SANITARY PROVIDED BY CITY OF WILDWOOD.
- ELECTRICAL TRANSMISSION SYSTEM PROVIDED BY SECO.
- LOCATED IN SECTION 7, TOWNSHIP 19 SOUTH, RANGE 23 EAST, WILDWOOD, FLORIDA.
- AREAS FOR TOTAL SITE:
  - PROPOSED BUILDING AREA = 9,600 S.F.
  - PAVEMENT/SIDEWALK AREA = 10,765 S.F.
  - ASPHALT MILLINGS AREA = 49,571 S.F.
  - TOTAL IMPERVIOUS AREA = 69,936 S.F.
  - DRA AREA = 11,169 S.F.
  - OPEN AREA = 46,169 S.F. (39.9%)
  - F.A.R. = 0.08
  - I.S.R. = 0.60
- INTENDED USE FOR SITE - CONTRACTOR OFFICE & SHOP
- THIS SITE IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN.
- NUMBER OF EMPLOYEES = 10

### NOTES:

- ALL RADII ARE 5' UNLESS OTHERWISE NOTED.
- ALL RADII SHOWN ARE TO EDGE OF PAVEMENT.
- ALL PARKING LOT STRIPING TO BE 6" PAINT.
- ALL DISTURBED AREA TO BE SODDED.
- ALL SIDEWALKS ARE TO HAVE A MAXIMUM CROSS SLOPE OF 2.00%.
- ALL SIGNAGE SHALL CONFORM TO MUTCD STANDARDS.

**LINE TABLE**

NO.	BEARING	DISTANCE
L1	N 89°57'06" W	50.00
L2	S 89°57'06" E	25.00
L3	S 00°10'59" W	25.00
L4	S 00°10'59" W	25.00
L5	S 89°57'06" E	25.00
L6	N 00°10'59" E	25.00



**ABSHIER ENGINEERING, INC.**  
5614 SE 111TH STREET, BELLEVIEW, FLORIDA  
CA# 9950  
P.O. BOX 2770  
BELLEVIEW, FL 34421-2770  
PHONE: (352) 245-8592  
FAX: (352) 245-8597

**SITE PLAN**  
**HUGHES BROTHERS OFFICE**  
**WILDWOOD, FLORIDA**

DATE: 5/20/13  
DRAWN BY: R.E.A.  
CHKD BY: R.E.A.

EDWARD ABSHIER JR., P.E. #53395  
DATE: June 19, 2013

# MAP OF BOUNDARY SURVEY

SECTION 7, TOWNSHIP 19 SOUTH, RANGE 23 EAST  
SUMTER COUNTY, FLORIDA

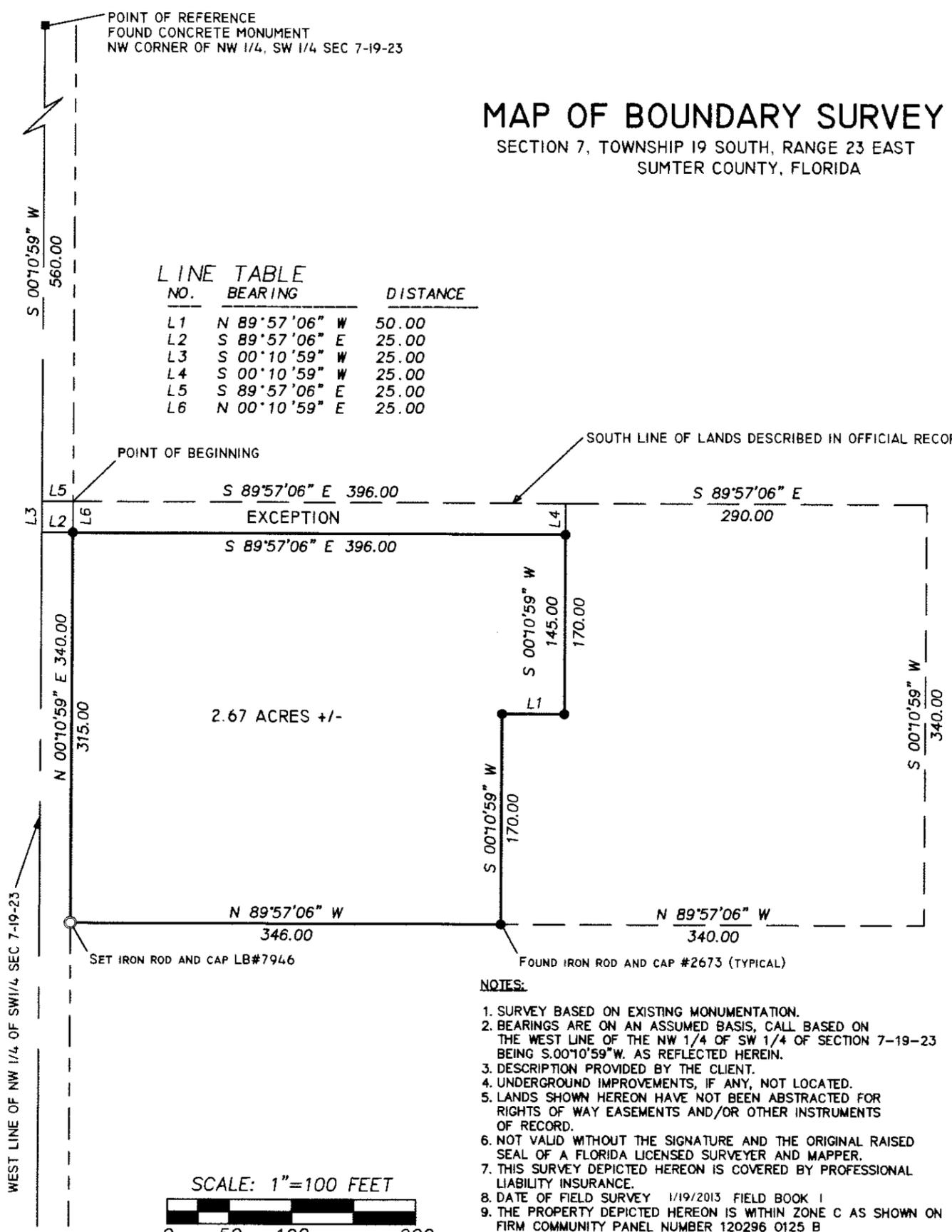
**Abbreviations**

- |  |   |
|--|---|
| N = NORTH                                  | (F) = FIELD MEASUREMENT                 |
| E = EAST                                   | (P) = PLAT CALL                         |
| W = WEST                                   | (D) = DEED                              |
| S = SOUTH                                  | (C) = CALCULATED FROM FIELD MEASUREMENT |
| (OR ANY COMBINATIONS SUCH AS NE, SW, ETC.) | CH = CHORD                              |
| ' = DEGREES WHEN USED IN A BEARING         | CB = CHORD BEARING                      |
| ' = MINUTES WHEN USED IN A BEARING         | (R) = RADIAL DIMENSION                  |
| ' = SECONDS WHEN USED IN A BEARING         | R = RADIUS                              |
| ' = FEET WHEN USED IN A DISTANCE           | ± = MORE OR LESS                        |
| ' = INCHES WHEN USED WITH A DISTANCE       | P.C.P. = PERMANENT CONTROL POINT        |
| --- = RIGHT OF WAY LINE                    | P.R.M. = PERMANENT REFERENCE MONUMENT   |
| — = CENTERLINE                             | C.L.F. = CHAIN LINK FENCE               |
| - - - = BROKEN SCALE LINE                  | P.O.C. = POINT OF COMMENCEMENT          |
| R/W = RIGHT OF WAY                         |   |
| CONC. = CONCRETE                           | CM = Concrete Monument                  |
| P.O.I. = POINT OF INTERSECTION             | IP = Iron Pin                           |
| F.C. = FENCE CORNER                        | R = Radius                              |
| X-X = FENCE                                | L = Length                              |
| P.L.S. = PROFESSIONAL LAND SURVEYOR        | T = Tangent                             |
| SRAC = SET REBAR & CAP                     | M = Measure                             |
| PVC = POLYETHYLENE VINYL CHLORIDE          | Meas = Measure                          |
| PVI = POINT VERTICAL INTERSECTION          | D = Description                         |
| PSM = PROFESSIONAL SURVEYOR MAPPER         | Desc = Description                      |
| VC = VERTICAL CURVE                        | OR = Official Records                   |
| NOVD = NATIONAL GEODETICAL VERTICAL DATUM  | LB = Licensed Business                  |
| N&D = NAIL AND DISK                        | NID = No Identification                 |
|  | CLF = Chainlink Fence                   |

**LINE TABLE**

NO.	BEARING	DISTANCE
L1	N 89°57'06" W	50.00
L2	S 89°57'06" E	25.00
L3	S 00°10'59" W	25.00
L4	S 00°10'59" W	25.00
L5	S 89°57'06" E	25.00
L6	N 00°10'59" E	25.00

COUNTY ROAD NO. 213 (WALKER ROAD) ASPHALT PAVEMENT AND R/W WIDTH VARIES



**LEGAL DESCRIPTION**

THAT PORTION OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF THE SAID NORTHWEST 1/4 OF SOUTHWEST 1/4, THENCE RUN S.00°10'59"W. ALONG THE WEST LINE OF SAID NORTHWEST 1/4 OF SOUTHWEST 1/4, A DISTANCE OF 560.00 FEET TO THE SOUTHWEST CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 583, PAGE 518 OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, THENCE RUN S.89°57'06"E. ALONG THE SOUTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 583, PAGE 518, A DISTANCE OF 25.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF COUNTY ROAD NO. 213 AND THE POINT OF BEGINNING; THENCE CONTINUE S.89°57'06"E. ALONG SAID SOUTH LINE A DISTANCE OF 396.00 FEET, THENCE S.00°10'59"W. A DISTANCE OF 170.00 FEET, THENCE N.89°57'06"W. A DISTANCE OF 50.00 FEET, THENCE S.00°10'59"W. A DISTANCE OF 170.00 FEET, THENCE N.89°57'06"W. A DISTANCE OF 346.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF COUNTY ROAD NO. 213, THENCE N.00°10'59"E. ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 340.00 FEET TO THE POINT OF BEGINNING; LESS AND EXCEPT THE NORTH 25.00 FEET THEREOF. SUBJECT TO COVENANTS, RESTRICTIONS AND EASEMENTS OF RECORD.

**THIS SURVEY IS CERTIFIED TO:**

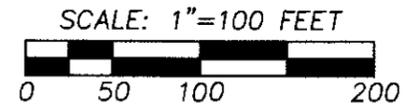
CHAD HUGHES  
JUSTIN HUGHES  
GUARDIAN LAND TITLE, INC.  
FIRST AMERICAN TITLE INSURANCE  
HUGHES BROTHERS PROPERTIES, LLC

**LEGEND**

- ⊙ = Power Pole
- ⊙ = Iron Pin
- ⊙ = Concrete Monument
- ⊙ = Water Meter
- ⊙ = Centerline
- ⊙ = Water Valve
- ⊙ = Fire Hydrant
- ⊙ = Sign
- ⊙ = Light pole
- ⊙ = Telephone Box
- ⊙ = Telephone pole
- ⊙ = Utility Pole
- ⊙ = Sanitary Manhole
- ⊙ = Telephone Manhole
- ⊙ = Storm Manhole
- ⊙ = Guy wire
- ⊙ = Overhead utility lines
- ⊙ = Drainage Inlet
- = FOUND 4"x4" CONCRETE MONUMENT NO IDENTIFICATION
- = FOUND IRON ROD AND CAP NO IDENTIFICATION
- ⊙ = WOOD POWER POLE
- ⊙ = SET N&D PLS 4393
- ⊙ = FOUND IRON PIPE
- ⊙ = SHOT PLACEMENT

**NOTES:**

- SURVEY BASED ON EXISTING MONUMENTATION.
- BEARINGS ARE ON AN ASSUMED BASIS, CALL BASED ON THE WEST LINE OF THE NW 1/4 OF SW 1/4 OF SECTION 7-19-23 BEING S.00°10'59"W. AS REFLECTED HEREIN.
- DESCRIPTION PROVIDED BY THE CLIENT.
- UNDERGROUND IMPROVEMENTS, IF ANY, NOT LOCATED.
- LANDS SHOWN HEREON HAVE NOT BEEN ABSTRACTED FOR RIGHTS OF WAY EASEMENTS AND/OR OTHER INSTRUMENTS OF RECORD.
- NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- THIS SURVEY DEPICTED HEREON IS COVERED BY PROFESSIONAL LIABILITY INSURANCE.
- DATE OF FIELD SURVEY 1/19/2013 FIELD BOOK 1
- THE PROPERTY DEPICTED HEREON IS WITHIN ZONE C AS SHOWN ON FIRM COMMUNITY PANEL NUMBER 120296 0125 B EFFECTIVE DATE: MARCH 15, 1982



## SURVEY CERTIFICATION

I HEREBY CERTIFY THAT THE BOUNDARY SURVEY SHOWN HEREON WAS MADE UNDER MY DIRECT SUPERVISION ON 1/16/2013. I FURTHER CERTIFY THAT THIS BOUNDARY SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

JOHN C. COUNTS JR.  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 4480

FOR THE FIRM:  
GRADEWORKS, LLC LB 7946  
4300 SE 79TH STREET  
OCALA, FL 34480  
(352) 266-6182

**\*THIS CERTIFICATION IS INVALID UNLESS SIGNED AND SEALED WITH A RAISED, EMBOSSED SEAL.\***

DATE: 1/30/2013	GRADEWORKS, LLC	FOR: HUGHES BROTHERS CONST.
DWN: CC	4300 SE 79TH STREET	OCALA, FL 34480
SCALE: 1" = 100'	LB# 7946	SHEET 1 OF 1

# MAP OF TOPOGRAPHIC SURVEY

SECTION 7, TOWNSHIP 19 SOUTH, RANGE 23 EAST  
SUMTER COUNTY, FLORIDA

POINT OF REFERENCE  
FOUND CONCRETE MONUMENT  
NW CORNER OF NW 1/4, SW 1/4 SEC 7-19-23

S 00°10'59" W  
560.00

POINT OF BEGINNING

N 1641494.3350  
E 638980.4160  
ELEV=58.32

SOUTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS 583, PAGE 518

S 89°57'06" E 396.00

EXCEPTION

10' WIDE DIRT ROAD

S 89°57'06" E 396.00

## LEGEND

- ⊙ = Power Pole
- ⊙ = Iron Pin
- ⊙ = Concrete Monument
- ⊙ = Water Meter
- ⊙ = Centerline
- ⊙ = Water Valve
- ⊙ = Fire Hydrant
- ⊙ = Sign
- ⊙ = Light pole
- ⊙ = Telephone Box
- ⊙ = Telephone pole
- ⊙ = Utility Pole
- ⊙ = Sanitary Manhole
- ⊙ = Telephone Manhole
- ⊙ = Storm Manhole
- ⊙ = Guy wire
- ⊙ = Overhead utility lines
- ⊙ = Drainage Inlet
- ⊙ = FOUND 4"x4" CONCRETE MONUMENT NO IDENTIFICATION
- ⊙ = FOUND IRON ROD AND CAP, IDENTIFICATION AS SHOWN
- ⊙ = SET N&D PLS 4393
- ⊙ = SHOT PLACEMENT
- ⊙ = FIBER OPTIC CABLE

## NOTES:

1. SURVEY BASED ON EXISTING MONUMENTATION.
2. BEARINGS ARE ON AN ASSUMED BASIS, CALL BASED ON THE WEST LINE OF THE NW 1/4 OF SW 1/4 OF SECTION 7-19-23 BEING S.00°10'59"W. AS REFLECTED HEREIN.
3. DESCRIPTION PROVIDED BY THE CLIENT.
4. UNDERGROUND IMPROVEMENTS LOCATED AS FLAGGED BY LOCATOR SERVICE.
5. LANDS SHOWN HEREON HAVE NOT BEEN ABSTRACTED FOR RIGHTS OF WAY EASEMENTS AND/OR OTHER INSTRUMENTS OF RECORD.
6. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYER AND MAPPER.
7. THIS SURVEY DEPICTED HEREON IS COVERED BY PROFESSIONAL LIABILITY INSURANCE.
8. DATE OF FIELD SURVEY 4/15/2013 FIELD BOOK
9. THE PROPERTY DEPICTED HEREON IS WITHIN ZONE C AS SHOWN ON FIRM COMMUNITY PANEL NUMBER 120296 0125 B EFFECTIVE DATE: MARCH 15, 1982
10. STATE PLANE COORDINATES ARE NAD 83 AND REFERENCED TO NGS CONTROL POINT 18 92 GPS 4, WILDWOOD, FL.
11. THE ELEVATIONS SHOWN HEREON ARE NAVD 88 AND REFERENCED TO NGS BENCHMARK H 612 WILDWOOD, FL, ELEVATION = 58.04.
12. SEE BOUNDARY SURVEY BY THIS FIRM FOR LEGAL DESCRIPTION AND BOUNDARY INFORMATION DATED 01/30/2013.

## SURVEY CERTIFICATION

I HEREBY CERTIFY THAT THE TOPOGRAPHIC SURVEY SHOWN HEREON WAS MADE UNDER MY DIRECT SUPERVISION ON 04/15/2013. I FURTHER CERTIFY THAT THIS TOPOGRAPHIC SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

FOR THE FIRM:  
GRADEWORKS, LLC LB 7946  
4300 SE 79TH STREET  
OCALA, FL 34480  
(352) 266-6182

JOHN C. COUNTS JR  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 4480

\*THIS CERTIFICATION IS INVALID UNLESS SIGNED AND SEALED WITH A RAISED, EMBOSSED SEAL.\*

DATE: 04/30/2013

DWN: cc APR:

SCALE: 1" = 50'

GradeWorks  
LLC

GRADEWORKS, LLC  
4300 SE 79th STREET  
OCALA, FL 34480  
(352) 266-6182 LB# 7946

FOR:  
CHAD AND JUSTIN  
HUGHES

SHEET 1 OF 1

## LINE TABLE

NO.	BEARING	DISTANCE
L1	N 89°57'06" W	50.00
L2	S 89°57'06" E	25.00
L3	S 00°10'59" W	25.00
L4	S 00°10'59" W	25.00
L5	S 89°57'06" E	25.00
L6	N 00°10'59" E	25.00

Set iron rod and cap LB#7946  
N 1641179.6890  
E 638979.4660  
ELEV=56.69

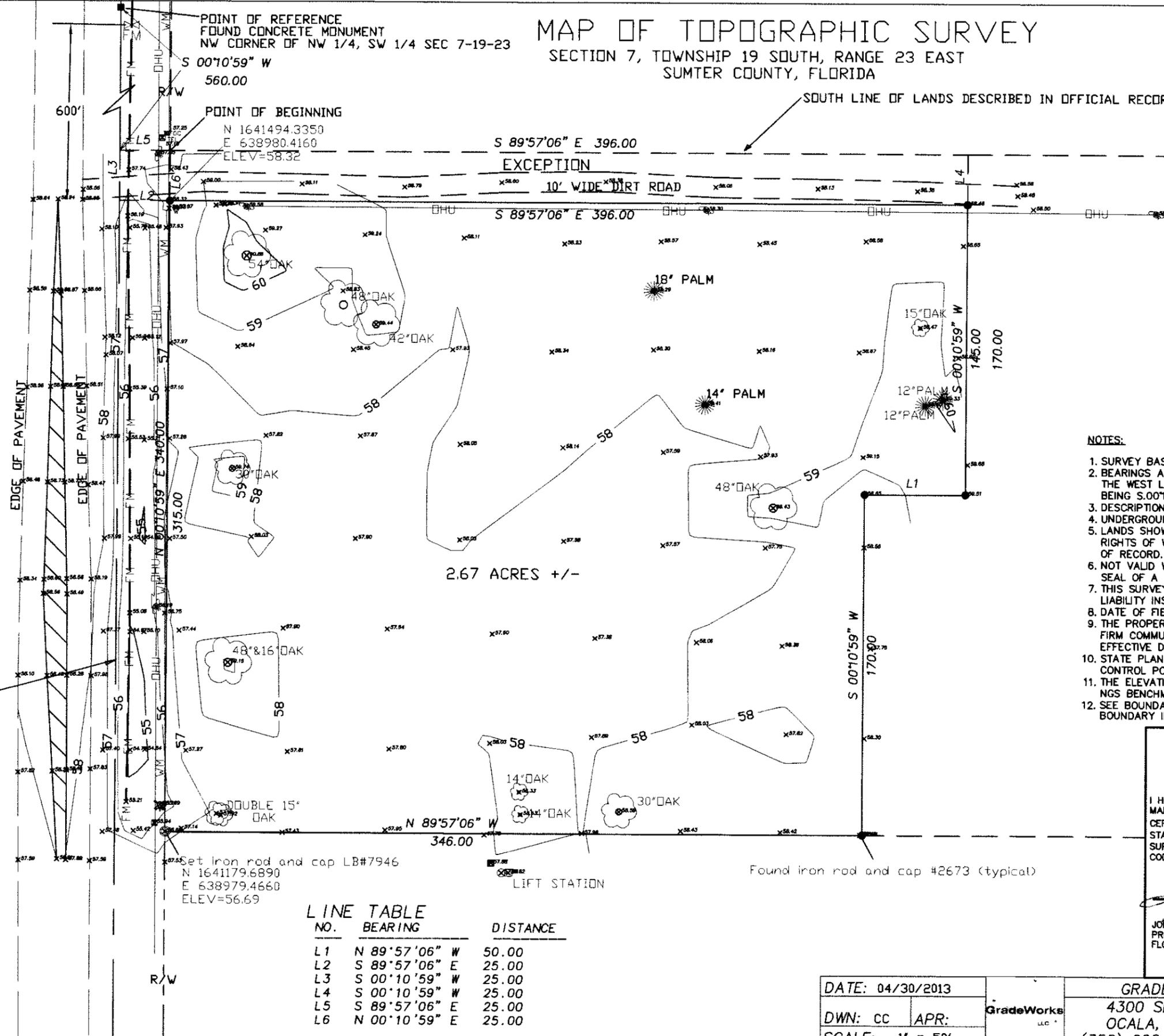
LIFT STATION

Found iron rod and cap #2673 (typical)

2.67 ACRES +/-

COUNTY ROAD NO. 213 (WALKER ROAD) ASPHALT PAVEMENT AND R/W WIDTH VARIES

WEST LINE OF NW 1/4 OF SW 1/4 SEC 7-19-23



## CITY COMMISSION OF THE CITY OF WILDWOOD

### EXECUTIVE SUMMARY

**SUBJECT:** SP 1305-02 Russell Stover Expansion

**REQUESTED ACTION:** Site Plan approval (SP 1305-02) for demolition and a 10,852 sq. ft. building expansion for retail candy sales with associated improvements (Parcel F12=032C).

Work Session (Report Only)  
 Regular Meeting

**DATE OF MEETING:** 7/8/2013  
 Special Meeting

**CONTRACT:**  N/A

Effective Date: \_\_\_\_\_  
Managing Division / Dept: \_\_\_\_\_

Vendor/Entity: \_\_\_\_\_  
Termination Date: \_\_\_\_\_

**BUDGET IMPACT:** \_\_\_\_\_

Annual  
 Capital  
 N/A

**FUNDING SOURCE:** \_\_\_\_\_

**EXPENDITURE ACCOUNT:** \_\_\_\_\_

### HISTORY/FACTS/ISSUES:

The applicant seeks Site Plan approval from the City Commission for demolition and to construct a 10,852 sq. ft. building expansion with associated improvements (Parcel F12=032C). The expansion will be used for retail candy sales. **Staff recommends approval of the Site Plan.**

Case SP 1305-02 was considered by the Planning & Zoning Board/Special Magistrate on Thursday, June 27, 2013. The Planning & Zoning Board/Special Magistrate gave a favorable recommendation of the Site Plan to the City Commission.



Melanie D. Peavy, Director  
Development Services Director

**City of Wildwood**  
**Planning & Zoning Board/Special Magistrate**

The case below was heard on Thursday, June 27, 2013 by the Special Magistrate. The applicant seeks approval and favorable recommendation from the Wildwood Planning and Zoning Board/Special Magistrate for demolition and the construction of a 10,852 sq. ft. building expansion for retail candy sales with associated improvements. The property is generally located on the northwest corner of C-213/Walker Road and SR 44. The Engineer of Record is J. David Tillman PE, Tillman & Associates Engineering, of Ocala, Florida.

**Case:** SP 1305-02

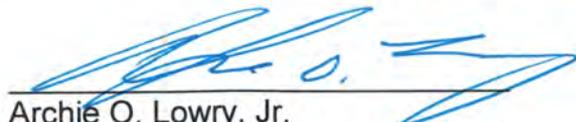
**Parcel:** F12=032C

**Owner:** Angela Ellsworth, Russell Stover Candies, Inc.

**Applicant:** Angela Ellsworth, Russell Stover Candies, Inc.

Based upon the testimony and information presented, the Special Magistrate recommends approval and favorable recommendation of the Russell Stover Expansion Site Plan, project number SP 1305-02, to the City Commission

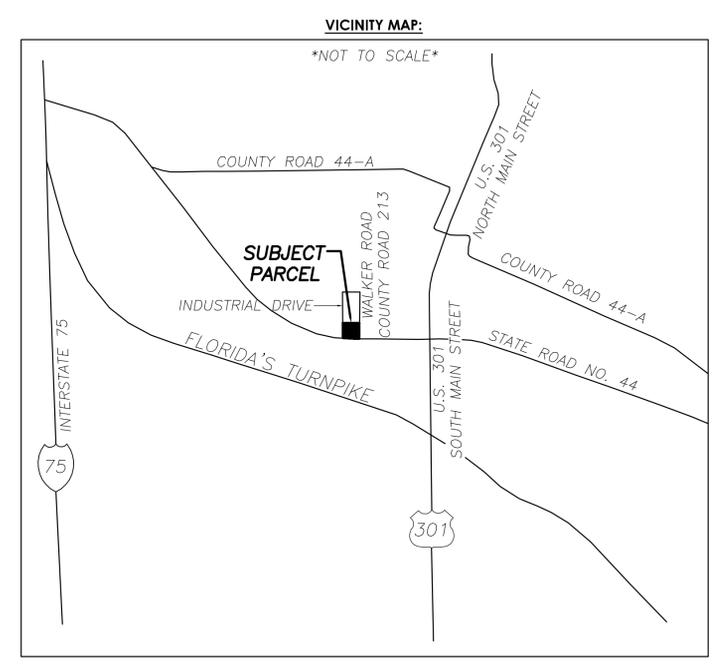
**Dated:** June 29, 2013



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



SECTION 12, TOWNSHIP 19 SOUTH, RANGE 22 EAST  
SUMTER COUNTY, FLORIDA



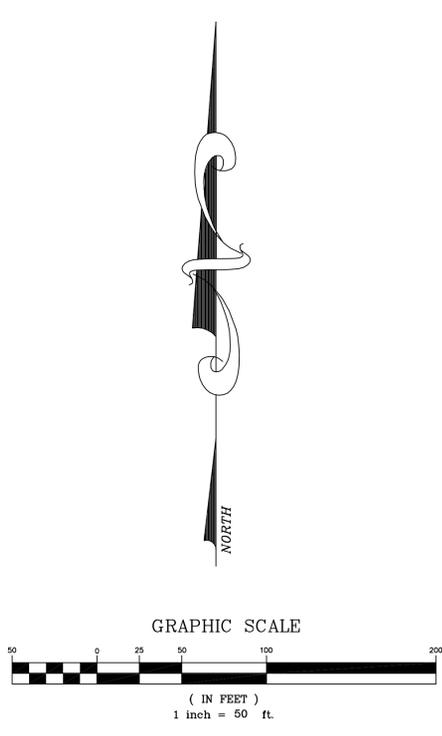
NO.	REVISIONS	BY

DRAWN:	S.A.S.
REVISED:	
CHECKED:	T.P.B.
APPROVED:	T.P.B.
SCALE:	1" = 50'

**R.M. BARRINEAU AND ASSOCIATES**  
PROFESSIONAL SURVEYORS & MAPPERS  
1000 N. W. 15th St., Ft. Lauderdale, FL 33304  
PHONE: (954) 552-2113 • FAX: (954) 552-2111 • www.rmbarrineau.com

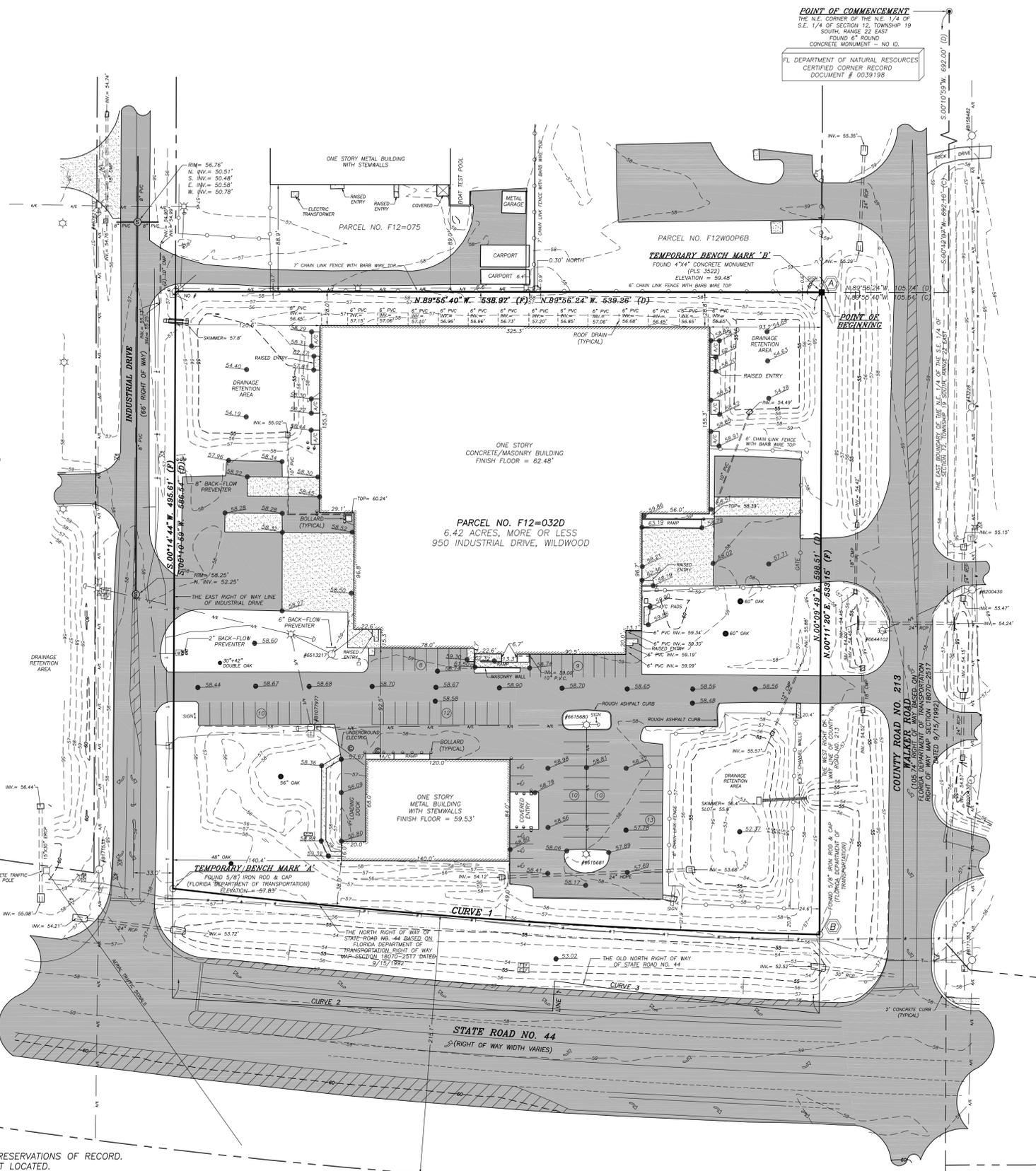
**BOUNDARY AND TOPOGRAPHIC SURVEY FOR:  
RUSSELL STOVER CANDIES, INC.**

REFERENCES: F.B. 536; P.G.S. 42-51	FILE: T19-R22-512
J.O.# 13069	DWG.# 13069
SHT 1 OF 1	



- LEGEND** UNLESS OTHERWISE NOTED
- ☉ = CENTERLINE OF RIGHT OF WAY
  - C.B. = CHORD BEARING
  - O.R. = OFFICIAL RECORDS OF SUMTER COUNTY
  - INV. = INVERT ELEVATION
  - POB = POINT OF BEGINNING
  - = FOUND 5/8" IRON ROD & CAP - F.D.O.T.
  - = FOUND 4" x 4" CONCRETE MONUMENT - PLS 3522
  - = FOUND 4" x 4" CONCRETE MONUMENT - NO ID.
  - = FOUND IRON ROD & CAP - NO ID.
  - (D) = DEED DIMENSION
  - (C) = CALCULATED DIMENSION
  - (P) = PLAT DIMENSION
  - (F) = FIELD MEASUREMENT
  - = SPOT GRADE
  - ⊙ = NUMBER OF REGULAR PARKING SPACES
  - ⊙ = SANITARY MANHOLE
  - ⊙ = DRAINAGE MANHOLE
  - ⊙ = TRAFFIC SIGNAL CONTROL BOX
  - ⊙ = WATER METER
  - ⊙ = TELEPHONE BOX
  - ⊙ = ELECTRIC BOX
  - ⊙ = FIBER OPTIC CABLE MARKER
  - ⊙ = SIGN
  - ⊙ = CONCRETE LIGHT POLE
  - ⊙ = CONCRETE POWER POLE
  - ⊙ = WOOD LIGHT POLE
  - ⊙ = WOOD POWER POLE
  - ⊙ = GUY ANCHOR
  - ⊙ = MAIL BOX
  - ⊙ = WATER VALVE
  - ⊙ = FIRE HYDRANT
  - A/C = CONCRETE AIR CONDITIONING PAD
  - HDPE = HIGH DENSITY POLYETHYLENE
  - ERCP = ELLIPTICAL REINFORCED CONCRETE PIPE
  - PVC = POLYVINYL CHLORIDE
  - RCP = REINFORCED CONCRETE PIPE
  - CMP = CORRUGATED METAL PIPE
  - A/E = AERIAL ELECTRIC
  - = UNDERGROUND TELEPHONE
  - = UNDERGROUND WATER
  - = UNDERGROUND SANITARY
  - - - = BROKEN LINE; NOT DRAWN TO SCALE
  - ▨ = DENOTES CONCRETE
  - ▨ = DENOTES ASPHALT

- NOTES:**
- DATE OF FIELD SURVEY: APRIL 13, 2013.
  - SUBJECT TO RIGHTS OF WAY, RESTRICTIONS, EASEMENTS AND RESERVATIONS OF RECORD.
  - UNLESS OTHERWISE SHOWN, UNDERGROUND IMPROVEMENTS NOT LOCATED.
  - PUBLIC RECORDS NOT SEARCHED BY R.M. BARRINEAU & ASSOCIATES, INC.
  - BEARINGS AND STATE PLANE COORDINATES BASED ON FLORIDA WEST GRID NAD-83, BASED ON NATIONAL GEODETIC SURVEY CONTROL POINT 18 92 GPS 4, 2012 ADJUSTMENT.
  - ORIENTATION FOR THE IMPROVEMENTS SHOWN HEREON SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.
  - ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
  - THIS SURVEY DEPICTS THE PROPERTY AS IT EXISTED ON THE SURVEY DATE, NOT NECESSARILY THE SIGNATURE DATE.
  - THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE BENEFIT OF THE PARTY(IES) NAMED HEREON, AND SHALL NOT BE DUPLICATED OR RELIED UPON BY ANY OTHER INDIVIDUAL OR ENTITY WITHOUT AUTHORIZATION FROM R.M. BARRINEAU & ASSOCIATES, INC.
  - VERTICAL DATUM BASED ON N.G.S. VERTICAL CONTROL POINT "H 612", ELEVATION = 58.04' (N.A.V.D. 88).
  - UNDERGROUND UTILITIES WERE REQUESTED TO BE MARKED THROUGH TICKET NUMBERS 093308561, 093308609 AND 093308483. LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON WERE OBTAINED BY DELINEATION DONE BY OTHERS AND WERE NOT VERIFIED BY R.M. BARRINEAU AND ASSOCIATES, INC.



**STATE PLANE COORDINATES:**

POINT	NORTHING	EASTING	SCALE FACTOR
18 92 GPS 4	1642612.630	638902.040	0.999941518
(A)	1641387.620	638849.349	0.999941520
(B)	1640854.477	638847.590	0.999941520

**DESCRIPTION:**  
(PER WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 362, PAGE 176 OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA)

THAT PART OF THE N.E. 1/4 OF THE S.E. 1/4 OF SECTION 12, TOWNSHIP 19 SOUTH, RANGE 22 EAST, SUMTER COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A 6" ROUND CONCRETE MONUMENT AT THE N.E. CORNER OF THE SAID N.E. 1/4 OF S.E. 1/4, RUN S.00°10'59"W. ALONG THE EAST BOUNDARY OF SAID N.E. 1/4 OF THE S.E. 1/4 A DISTANCE OF 692.00 FEET, THENCE N.89°56'24"W. 105.74 FEET TO THE WEST RIGHT OF WAY OF WALKER ROAD AND POB OF THE FOLLOWING DESCRIBED PARCEL OF LAND. FROM SAID POB CONTINUE N.89°56'24"W. 539.26 FEET, THENCE S.00°10'59"W. 586.54 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF STATE ROAD NO. 44, SAID POINT BEING ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 5679.59 FEET, THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND NORTH RIGHT-OF-WAY OF STATE ROAD 44, THROUGH A CENTRAL ANGLE OF 0°31'14.89" A DISTANCE OF 316.90 FEET, THENCE CONTINUE ALONG SAID RIGHT OF WAY N.03°31'00.7"E. 25.00 FEET TO A POINT ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 5654.58 FEET, THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND NORTH RIGHT-OF-WAY OF SAID STATE ROAD 44, THROUGH CENTRAL ANGLE OF 0°21'15.16.1" A DISTANCE OF 222.50 FEET TO THE WEST RIGHT-OF-WAY OF THE FOREMENTIONED WALKER ROAD, THENCE N.00°09'49"E. ALONG SAID WEST RIGHT-OF-WAY A DISTANCE OF 598.51 FEET TO THE POB AND END OF THIS DESCRIPTION.

CONTAINING 7.46 ACRES, MORE OR LESS.

**SURVEYOR'S CERTIFICATION:**  
I HEREBY CERTIFY THAT THE SURVEY REPRESENTED HEREON MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050-052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

R.M. BARRINEAU & ASSOCIATES, INC.

## CITY COMMISSION OF THE CITY OF WILDWOOD

### EXECUTIVE SUMMARY

**SUBJECT:** SP 1306-01 Wildwood Entertainment Park Site Plan

**REQUESTED ACTION:** Site Plan approval (SP 1306-01) to construct an outdoor sports and music recreation facility, consisting of two mud holes, a volleyball court, a 3,414 sq. ft. concrete truck pull area, and other similar outdoor activities.

Work Session (Report Only)      **DATE OF MEETING:** 7/8/2013  
 Regular Meeting                       Special Meeting

**CONTRACT:**       N/A                      Vendor/Entity: \_\_\_\_\_  
Effective Date: \_\_\_\_\_      Termination Date: \_\_\_\_\_  
Managing Division / Dept: \_\_\_\_\_

**BUDGET IMPACT:** \_\_\_\_\_

Annual                      **FUNDING SOURCE:** \_\_\_\_\_  
 Capital                      **EXPENDITURE ACCOUNT:** \_\_\_\_\_  
 N/A

### HISTORY/FACTS/ISSUES:

The applicant seeks Site Plan approval from the City Commission to construct an outdoor sports and music recreation facility, consisting of two mud holes, a volleyball court, a 3,414 sq. ft. concrete truck pull area, and other similar outdoor activities (Parcels G19=011 and G30=048). **Staff recommends approval of the Site Plan subject to approval of O2013-25, which establishes a Commercial/Industrial Planned Development (CIPD) zoning overlay appropriate to the proposed project.**

Case SP 1306-01 was considered by the Planning & Zoning Board/Special Magistrate on Thursday, June 27, 2013. **The Planning and Zoning Board/Special Magistrate has recommended approval of the Site Plan** subject to the following conditions (also conditions of O2013-25):

- Specificity be given to the type of vehicles that may participate in the activities; and
- Additional requirements for noise are incorporated into the Ordinance.

If approved by the Commission, these comments will be integrated into the Site Plan and O2013-25.



Melanie D. Peavy, Director  
Development Services Director

**City of Wildwood**  
**Planning & Zoning Board/Special Magistrate**

The case below was heard on Thursday, June 27, 2013 by the Special Magistrate. The applicant seeks approval and favorable recommendation from the Wildwood Planning and Zoning Board/Special Magistrate for two mud holes, a volleyball court, and a 3,414 sq. ft. concrete truck pull area with related improvements. The property is generally located on the west side of US Hwy 301, south of the Turnpike and just north of the South Wildwood Industrial Park.

**Case:** SP 1306-01  
**Parcels:** G19=011 and G30=048  
**Owner:** Cliff Wittman, Witcow Holding LLC  
**Applicant:** Cliff Wittman, Witcow Holding LLC

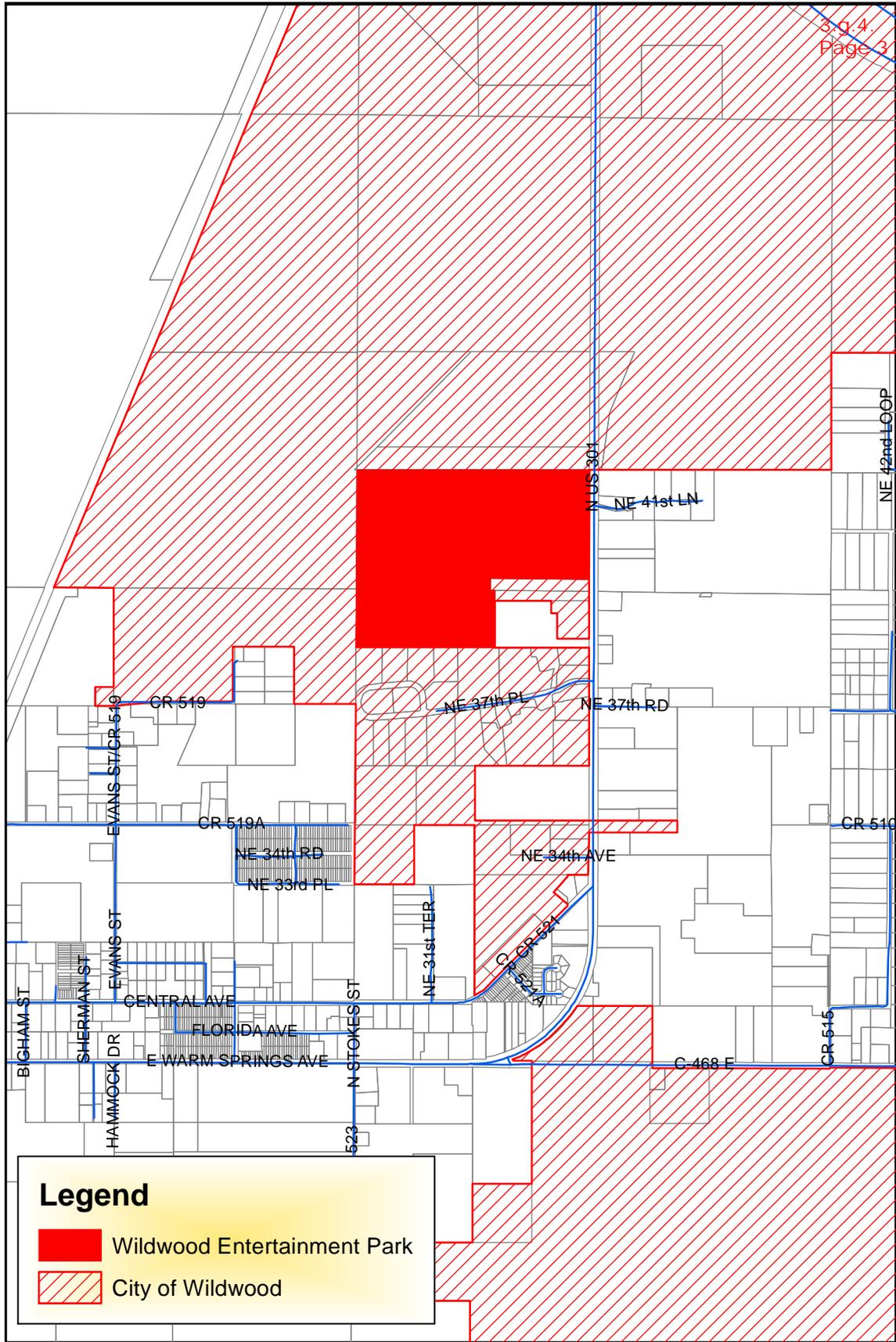
Based upon the testimony and information presented, the Special Magistrate recommends approval and favorable recommendation of the Wildwood Entertainment Park Site Plan, project number SP 1306-01, to the City Commission, subject to the following requirements of case RZ 1306-01 and O2013-25:

- Noise level regulation be written into ordinance O2013-25 that addresses any activity on the property, including but not limited to music as well as vehicles; and
- Some type of criteria or guidelines regarding the types of vehicles that can be used on the property as a means to addressing the level of noise coming from the development and as a mechanism for the City to regulate said noise

The Engineer of Record is Lee Clymer PE, Farner Barley and Associates, of Wildwood, Florida.

Dated: June 29, 2013

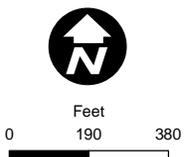
  
\_\_\_\_\_  
Archie O. Lowry, Jr.  
Special Magistrate City of Wildwood



I:\Terr\GIS\Maps\Location - Wildwood Entertainment Park.mxd - 6/21/2013 4:07:32 PM - toneal



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



**WILDWOOD ENTERTAINMENT  
 PARK**

**WILDWOOD, FLORIDA**

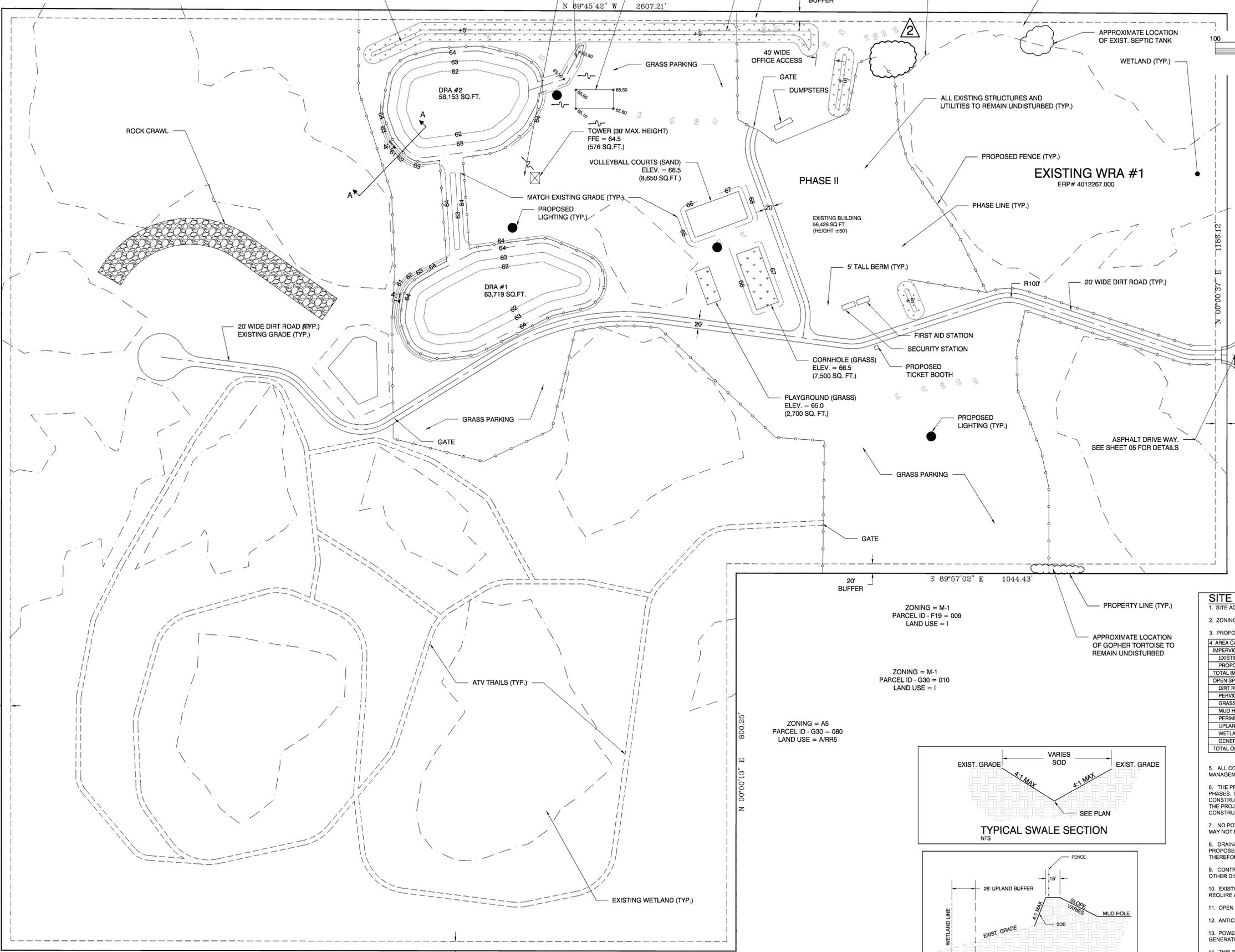
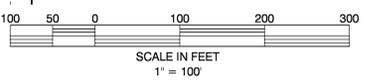
JUNE 2013

LOCATION MAP

ZONING = R-1  
PARCEL ID - G19 = 020  
LAND USE = LDR

ZONING = M-1  
PARCEL ID - G19 = 010  
LAND USE = I

Site Bench Mark #2  
top of 1/2" iron rod &  
cap, marked "TRAV PNT"  
elevation=61.73'



**LEGEND**

- PROPERTY LINE
- - - WETLAND LINE
- - - UPLAND BUFFER LINE
- - - PROPOSED FENCE
- - - EXISTING FENCE
- - - EXISTING OVERHEAD UTILITY
- - - ATV TRAIL
- - - BUFFER

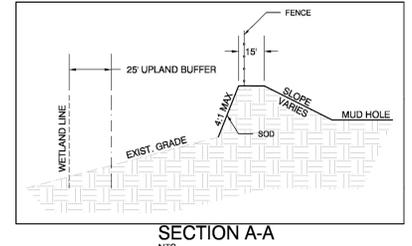
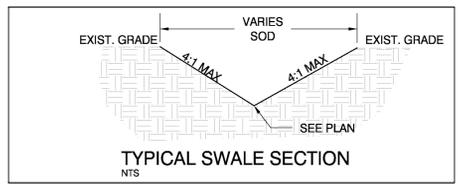
**SITE DATA**

- SITE ACREAGE: 99.98 AC.
- ZONING = M-1: CONSERVATION
- PROPOSED BUILDING TYPE = WOOD/MASONRY
- AREA CALCULATIONS:
 

IMPERVIOUS AREA:	AREA	% OF TOTAL
EXISTING IMPERVIOUS	1.30 AC.	1.30%
PROPOSED IMPERVIOUS	0.09 AC.	0.09%
<b>TOTAL IMPERVIOUS AREA</b>	<b>1.39 AC.</b>	<b>1.39%</b>
- OPEN SPACE:
 

DIRT ROAD	1.48 AC.	1.48%
PERVIOUS EVENTS	1.14 AC.	1.14%
GRASS PARKING	13.83 AC.	13.83%
MUD HOLES	2.97 AC.	2.97%
PERIMETER BUFFERS	4.32 AC.	4.32%
UPLAND BUFFERS	8.50 AC.	8.50%
WETLANDS	20.52 AC.	20.53%
<b>GENERAL OPEN SPACE</b>	<b>45.83 AC.</b>	<b>45.84%</b>
<b>TOTAL OPEN SPACE</b>	<b>98.59 AC.</b>	<b>98.61%</b>

- ALL COMMON OPEN AREAS SHALL BE MAINTAINED BY PROPERTY MANAGEMENT.
- THE PROJECT IS ANTICIPATED TO BE DEVELOPED IN A MINIMUM OF TWO PHASES. THE PROJECT WILL TENTATIVELY BEGIN THE PROCESS OF CONSTRUCTION AUGUST 2013 FOR PHASE I. THE PROJECT WILL TENTATIVELY BEGIN THE PROCESS OF CONSTRUCTION BETWEEN YEARS 2014 AND 2015 FOR PHASE II.
- NO POTABLE WATER OR SANITARY SEWER IS REQUIRED FOR PHASE I AND MAY NOT BE REQUIRED FOR FUTURE PHASES.
- DRAINAGE: ALL PROPOSED IMPERVIOUS AREAS ARE TO DRAIN TO PROPOSED MUD HOLE. THE PROPOSED IMPERVIOUS AREA IS ONLY 3,990 S.F. THEREFORE NO DRAINAGE CALCULATIONS ARE PROVIDED.
- CONTRACTOR SHALL SOO ALL DISTURBED AREAS STEEPER THAN 5:1. ALL OTHER DISTURBED AREAS TO BE SEED AND MULCH.
- EXISTING TREES TO REMAIN ONSITE. THE REMOVAL OF ANY TREES SHALL REQUIRE A TREE REMOVAL PERMIT.
- OPEN SPACE REQUIREMENTS WAIVED FOR THIS PROJECT.
- ANTICIPATED NUMBER OF EMPLOYEES: 5
- POWER FOR EVENTS AND SITE LIGHTING TO BE PROVIDED BY PORTABLE GENERATORS.
- THIS PROJECT IS NOT LOCATED WITHIN A FEMA 100 YR FLOOD PLAIN PER COMMUNITY PANEL # 12029601258
- NORTHERN BUFFER TO INCLUDE LANDSCAPING OR BERM GENERALLY BETWEEN WETLANDS.

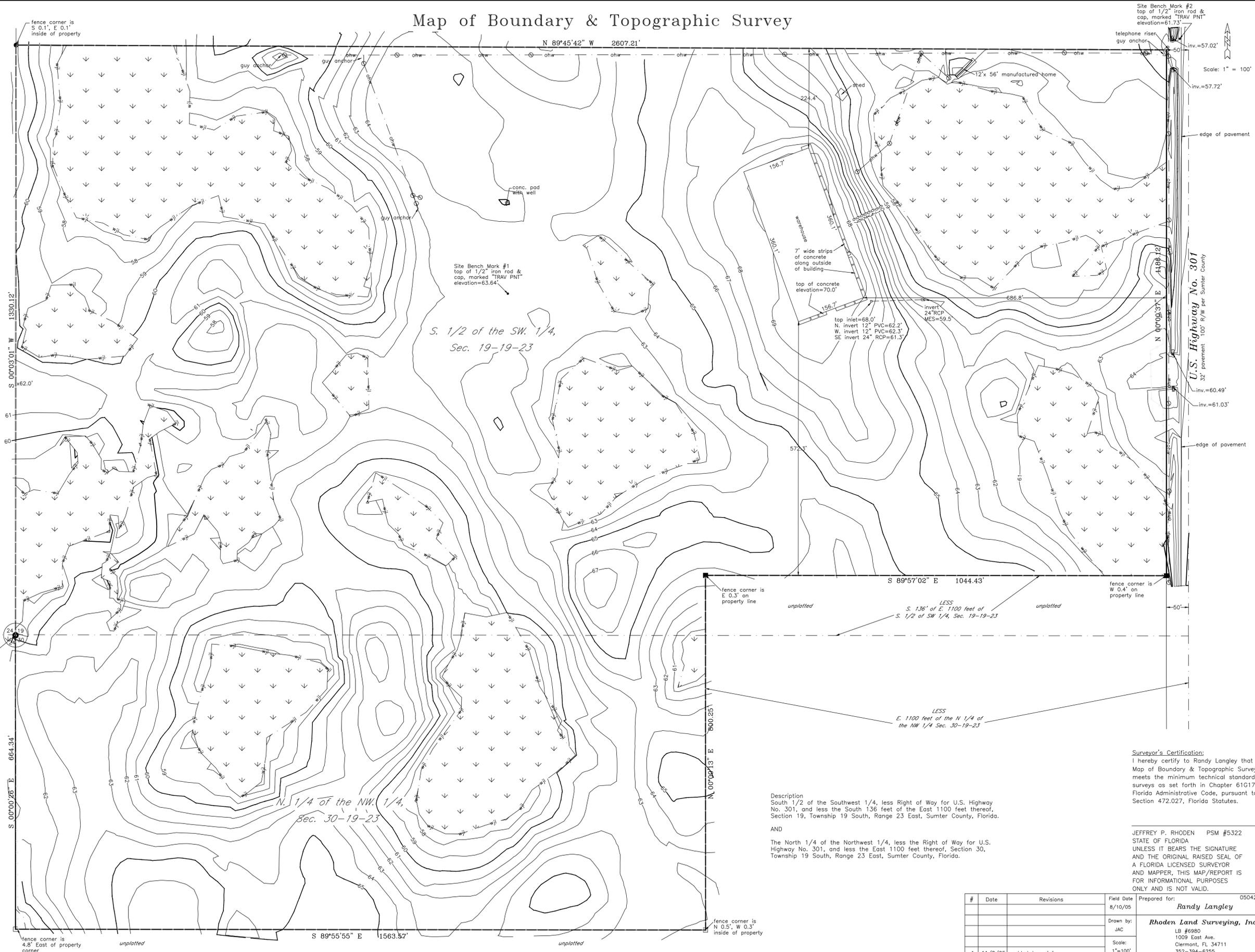


**WILDWOOD ENTERTAINMENT PARK  
PHASE I  
SITE PLAN**

DATE: 6/21/2013  
DRAWN BY: MJT  
CHKD BY: WLC  
FILE NAME: 04-WEP-SITE  
JOB NO.:

# Map of Boundary & Topographic Survey

Notes:  
 -Bearings based on the West R/W line of U.S. Highway No. 301 as being N 00°00'37" E, an assumed meridian.  
 -Legal description supplied by client.  
 -No title commitment or abstract has been provided for the subject property. There may be recorded or unrecorded documents which could affect this parcel.  
 -No adjacent or underground improvements, other than those shown, located this date.  
 -Subject property contains 99.976 acres, more or less, and is subject to any rights of way or easements of record.  
 -Wetlands jurisdictional lines based on location of flags set by Modica & Associates.  
 -Elevations based on assumed datum.  
 Benchmarks #8066, elevation=59.80' and #8067, elevation=59.24' from FDOT plan sheet for US Hwy. No. 301, sheet #14 were used for this project. Datum is unknown.



- LEGEND:
- ohw- denotes overhead wires
  - x-x- denotes fence
  - w-j- denotes wetlands jurisdictional line
  - R/W denotes right of way
  - ⊙ denotes centerline
  - denotes centerline
  - denotes found lightwood post
  - denotes found 1/2" iron rod & cap marked, "LB 3827" unless noted otherwise
  - denotes found iron pipe & cap marked, "LB 3827" unless noted otherwise
  - ▲ denotes replaced nail with 1/2" iron rod & cap, marked "LB 6980"
  - denotes found 2"x2" concrete monument unless noted otherwise
  - denotes found round concrete monument unless noted otherwise

Description  
 South 1/2 of the Southwest 1/4, less Right of Way for U.S. Highway No. 301, and less the South 136 feet of the East 1100 feet thereof, Section 19, Township 19 South, Range 23 East, Sumter County, Florida.

AND  
 The North 1/4 of the Northwest 1/4, less the Right of Way for U.S. Highway No. 301, and less the East 1100 feet thereof, Section 30, Township 19 South, Range 23 East, Sumter County, Florida.

Surveyor's Certification:  
 I hereby certify to Randy Langley that this Map of Boundary & Topographic Survey meets the minimum technical standards for surveys as set forth in Chapter 61G17 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

JEFFREY P. RHODEN PSM #5322  
 STATE OF FLORIDA  
 UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS MAP/REPORT IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

#	Date	Revisions	Field Date	Prepared for:
			8/10/05	Randy Langley
			Drawn by:	Rhoden Land Surveying, Inc.
			JAC	LB #6980
			Scale:	1009 East Ave.
			1"=100'	Clermont, FL 34711
1	11/8/05	added topo info		352-394-6255

**CITY OF WILDWOOD  
EXECUTIVE SUMMARY**

3.g.5.  
Page 1 of 3

**SUBJECT:** Special Event – UF/IFAS Master Gardeners Fall Plant Sale

**REQUESTED ACTION:** Approval to use City property to hold the UF/IFAS Master Gardener's Fall Plant Sale

- Work Session (Report Only)  
 Regular Meeting

**DATE OF MEETING:** June 8, 2013  
 Special Meeting

**CONTRACT:**  N/A

Effective Date: \_\_\_\_\_  
Managing Division / Dept: \_\_\_\_\_

Vendor/Entity: \_\_\_\_\_  
Termination Date: \_\_\_\_\_

**BUDGET IMPACT:** None

- Annual  
 Capital  
 N/A

**FUNDING SOURCE:** \_\_\_\_\_  
**EXPENDITURE ACCOUNT:** \_\_\_\_\_

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**HISTORY/FACTS/ISSUES:**

The applicant (Jim Davis / UF/IFAS Sumter County Extension) seeks approval from the City Commission to use the paved areas in front of City Hall on Saturday, October 12, 2013 for their annual fall plant sale. Set up will begin at 6:30 a.m. and the sale will take place from 9 a.m. to 1 p.m.

They are requesting the availability of the City Hall restrooms for the Master Gardeners working the event and several tables and chairs.

No streets will need to be blocked off allowing for ample parking and easy pick-up of plant purchases from both sides of City Hall and public parking lots adjacent to City Hall.

They have also asked if we would advertise the sale on the City Hall marquee sign starting in September.

P&R Coordinator Jenny Hudson will be present the day of the event to allow access to the restrooms, tables & chairs and to handle any issues that may arise.

A site plan has not yet been submitted; however staff recommends approval of the event so the group may begin their advertising but conditional to the submission of a site plan and anything else needed to complete the Special Event Permit Application.

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**City of Wildwood, Florida**  
**Development Services Department**  
 100 N. Main St., Wildwood, FL 34785  
 Tel: 352.330.1330 Fax: 352.330.1334  
 www.wildwood-fl.gov

Staff Use Only 3.g.5.  
Page 2 of 3  
 Fee Paid: \_\_\_\_\_  
 Method of Payment: \_\_\_\_\_  
 Receipt Number: \_\_\_\_\_

### Temporary Use/Special Event Application

Applicant's Name: Jim E Daus on behalf of Master Gardeners

Business/Organization Name: UF/IFAS Sumter County Extension

Address: 7600 SR 471, Ste 4, Bushnell, FL 33515

Phone: 352-793-2728 Email: davisshen@ufl.edu

Property Owner(s): Wildwood City Hall

Address: 100 North Main Street Wildwood FL 34785

Phone: 352-330-1330 Email: \_\_\_\_\_

Type of Event: Fundraiser plant sale

Proposed Use: \_\_\_\_\_

Beginning Date: 12/12 Ending Date: 12/12 Hours of Operation: 9:00am to 1:00pm

Property Information:  
 Address (if any): \_\_\_\_\_  
 Parcel Number(s): \_\_\_\_\_ Current Zoning: \_\_\_\_\_

The following items must be submitted at least three (3) weeks prior to event start date for application to be reviewed.  
 The proposed use must meet all criteria set forth in the City of Wildwood Ordinance No. 476.

- N/A** \$100.00 non-refundable application fee (per site).
- Notarized, dated permission letter from the property owner(s). City Commission Approval
  - Letter stating times and dates of the event.
  - Site plan indicating the placement of all materials and outlining the traffic flow and any other pertinent information.
  - If a tent will be used for the event, a copy of the flame-retardant seal must be provided.
  - Copy of State of Florida Dept. of Highway Safety and Motor Vehicles License.
  - State of Florida Dept. of Highway Safety and Motor Vehicles Temporary "supplemental" application (form HSMV 86042).
  - List of phone numbers and contact information on-site.

A fire safety inspection must be completed prior to start of sale (contact Sumter County Fire Department upon approval of permit).

Applicant's Signature: [Signature] Date: 12/12

Staff Use Only

Conditions: \_\_\_\_\_  
 \_\_\_\_\_  
 Application Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

June 4, 2013

Dear City of Wildwood Commissioners,

I am a UF/IFAS Sumter County Master Gardener and Chairman of our Fall Plant Sale scheduled for Saturday, October 12<sup>th</sup> (Sale 9-1, with Set-up at 6:30 AM) at City Hall. Our sale last year at this location was a wonderful success and an excellent opportunity to provide "Florida Friendly" plants and education to our local residents and to support Wildwood and neighboring communities in their beautification efforts.

We have the support of Jim Davis (Horticultural Agent in charge of the Master Gardener Program) and the Sumter County Extension office. Our flyers will be created this summer, as well as our publicity to all local papers, recreation centers, local businesses, and an email to more than 3,000 Villagers on our list. We also are respectfully requesting that the sale be advertised on your sign on Main Street as you did last year, starting in September.

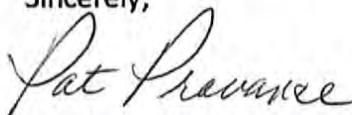
Our site plan will again be located in the paved area in front of City Hall. This allows a pleasant display of plants and garden art and comfortable traffic flow. No streets will need to be blocked off, allowing for ample parking and easy pick-up of plant purchases from both sides of City Hall.

This is our major fundraiser of the year to support all of our educational programs and outreach programs throughout the county. We will be selling plants grown by Master Gardeners, plants donated by local vendors, and a variety of garden art, planters, and gifts for gardeners.

We look forward to your support in this endeavor!

Sincerely,

352-751-7465 [patprovance@yahoo.com](mailto:patprovance@yahoo.com)



Pat Provance, Chairman of Master Gardener Fall Plant Sale Committee



The Institute of Food and Agricultural Sciences (IFAS) is an Equal Opportunity Institution authorized to provide research, educational information and other services only to individuals and institutions that function with non-discrimination with respect to race, creed, color, religion, age, disability, sex, sexual orientation, marital status, national origin, political opinions or affiliations. U.S. Department of Agriculture, Cooperative Extension Service, University of Florida, IFAS, Florida A. & M. University Cooperative Extension Program, and Boards of County Commissioners Cooperating.