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6 **ORDINANCE**
7 **NUMBER 2022-2**
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9 **AN ORDINANCE OF LEVY COUNTY, FLORIDA,**
10 **AMENDING THE ZONING MAP ATLAS BY REZONING**
11 **CERTAIN REAL PROPERTY CONSISTING OF 24.04**
12 **ACRES MORE OR LESS GENERALLY LOCATED AT**
13 **21431 NE 25th STREET, WILLISTON, FLORIDA FROM**
14 **FORESTRY RURAL RESIDENTIAL (F/RR) TO SINGLE**
15 **FAMILY (RR-2); PROVIDING DIRECTIONS TO THE**
16 **COUNTY COORDINATOR; PROVIDING A**
17 **SEVERABILITY CLAUSE; PROVIDING A REPEALING**
18 **CLAUSE; PROVIDING FOR EXCLUSION FROM**
19 **CODIFICATION; PROVIDING DIRECTIONS TO THE**
20 **CLERK AND PROVIDING AN EFFECTIVE DATE.**
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22
23 **WHEREAS**, Section 163.3167, Florida Statutes, requires the Levy County to
24 maintain a Comprehensive Plan to guide the future development and growth of the County;
25 and

26 **WHEREAS**, Section 163.3177(6), Florida Statutes, requires the County
27 Comprehensive Plan to include a Future Land Use Element with a Future Land Use Map
28 that designates the future general distribution, location, and extent of the uses of land for
29 residential, commercial, industry, agriculture, recreation, conservation, education, public
30 facilities, and other categories of the public and private uses of land, with the goals of
31 protecting natural and historic resources, providing for the compatibility of adjacent land
32 uses, and discouraging the proliferation of urban sprawl; and

33 **WHEREAS**, the County is required by Section 163.3202, Florida Statutes, to adopt
34 or amend and enforce land development regulations that are consistent with and

1 implement the Comprehensive Plan and that are combined and compiled into a single land
2 development code for the County; and

3 **WHEREAS**, the County Land Development Code (Chapter 50 of the County Code
4 of Ordinances) establishes zoning districts to implement the Comprehensive Plan and land
5 development regulations on specific classifications of land within the County; and

6 **WHEREAS**, upon petition of the property owner (Petition No. CZ 21-06), the County
7 Planning Commission which acts pursuant to the authority granted in Sec. 50-55 of the
8 County Code and which acts as the Local Planning Agency pursuant to Section 163.3174,
9 Florida Statutes, held a public hearing on December 6, 2021, and voted to recommend
10 approval of Petition No. CZ 21-06; and

11 **WHEREAS**, this ordinance will amend the Zoning Map Atlas by rezoning the
12 property that is the subject of Petition No. CZ 21-06; and

13 **WHEREAS**, at least ten days' notice has been given once by publication in a
14 newspaper of general circulation notifying the public of this proposed ordinance and public
15 hearing to be held by the County Commission; and

16 **WHEREAS**, the public hearing was held pursuant to the notice described above at
17 which hearing the parties in interest and all others had an opportunity to be and were, in
18 fact, heard; and

19 **WHEREAS**, the County Commission finds that the rezoning of the subject property
20 is consistent with the Comprehensive Plan; and

21
22 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of
23 Levy County, Florida:

1 **SECTION 1.** The Zoning Map Atlas of Levy County is amended by rezoning the
2 following property from Forestry Rural Residential (F/RR) to Single Family Residential (RR-
3 2):

4 A parcel of land in the NW ¼ of Section 9, Township 13 South, Range 19 East, Levy
5 County, Florida, being a portion of that property described in Official Records Book 851,
6 Page 940, and being more particularly described as follows:

7 For a Point of Reference, commence at the SE corner of the NW ¼ of Section 9,
8 Township 13 South, Range 19 East, Levy County, Florida: thence N 00°13'38" W, along
9 the East line of said NW ¼, a distance of 16.50 feet, to the North maintained right of way
10 line of NE 25th Street (Levy County Road No. 520), also being the SE corner of that
11 property described in Official Records Book 851, page 940 and the Point of Beginning:
12 thence continue N 00°13'38" W, along said East line of NW ¼ and East line of last said
13 property, a distance of 957.98 feet, to the SE corner of that certain D.O.T. Water Storage
14 Area described in Official Records Book 851, page 941 as Part 'B'; thence, departing said
15 East line, run N 24°41'29" W, along the South boundary of said Water Storage Area until
16 otherwise stated, a distance of 96.59 feet; thence S 49°30'15" W, 109.82 feet; thence S
17 61°41'05" W, 168.23 feet; thence S 80°51'53" W, 461.43 feet; thence N 83°56'48" W,
18 81.89 feet; thence N 64°33'05" W, 247.73 feet; thence, departing said South boundary, run
19 S 89°46'30" W, 149.90 feet, to the West line of said property described in O.R. Book 851,
20 page 940; thence S 00°13'30" E, along said West line, 919.38 feet, to said North
21 maintained right of way line; thence S 89°19'31" E, along said maintained right of way line,
22 1181.37 feet, to close on the Point of Beginning.

1 The location of the property is shown on Exhibit A for visual reference. In the event
2 of conflict or inconsistency, the legal description above shall prevail over Exhibit A.

3
4 **SECTION 2.** The County Coordinator or designee is authorized and directed to
5 make the necessary changes to the Zoning Map Atlas to comply with this ordinance.

6 **SECTION 3.** If any word, phrase, clause, paragraph, section, or provision of this
7 ordinance or the application hereof to any person or circumstance is held invalid or
8 unconstitutional, such finding will not affect the other provisions or applications of this
9 ordinance that can be given effect without the invalid or unconstitutional provision or
10 application, and to this end the provisions of this ordinance are declared severable.

11 **SECTION 4.** All ordinances or parts of ordinances in conflict herewith are to the
12 extent of such conflict hereby repealed.

13 **SECTION 5.** This ordinance shall not be codified in the Code of Ordinances of Levy
14 County, Florida.

15 **SECTION 6.** In accordance with Section 125.66, Florida Statutes, the Clerk to the
16 Board of County Commissioners is directed to file this ordinance with the Florida
17 Department of State within 10 days after adoption and upon such filing, this ordinance shall
18 become effective.

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20 **PASSED AND DULY ADOPTED** this 4th day of January, 2022.

21 **BOARD OF COUNTY COMMISSIONERS**
22 **OF LEVY COUNTY, FLORIDA**

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26 _____, Chair
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ATTEST:
Danny J. Shipp, Clerk of Circuit
Court and Ex-Officio Clerk to the
Board of County Commissioners

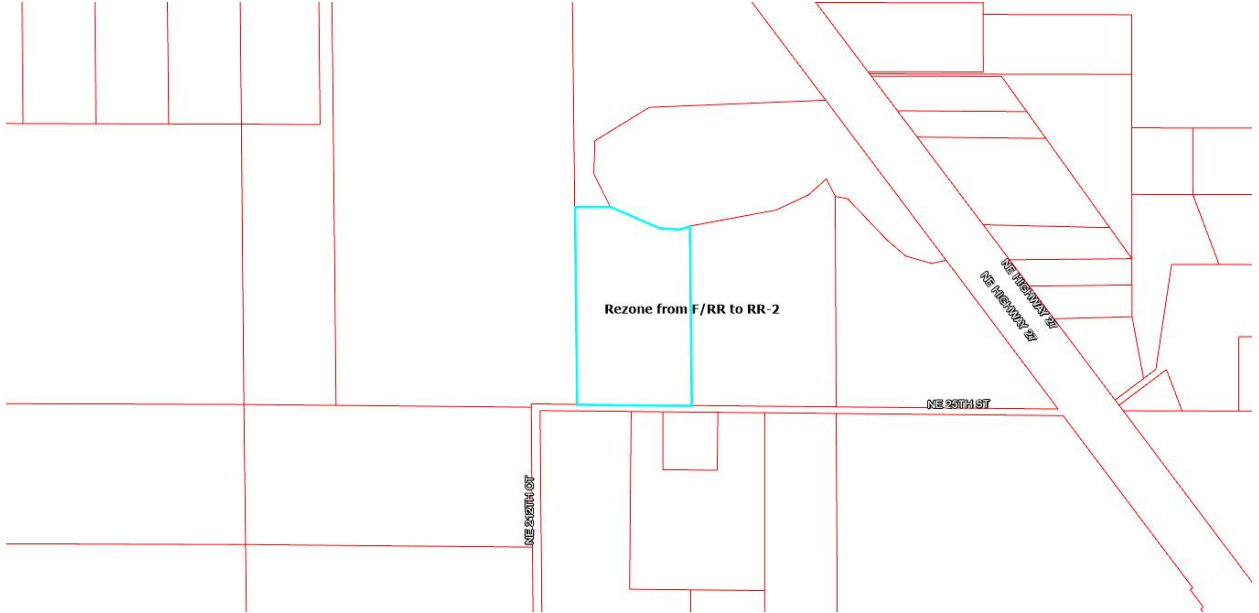
Danny J. Shipp, Clerk

Approved as to form and legal sufficiency:

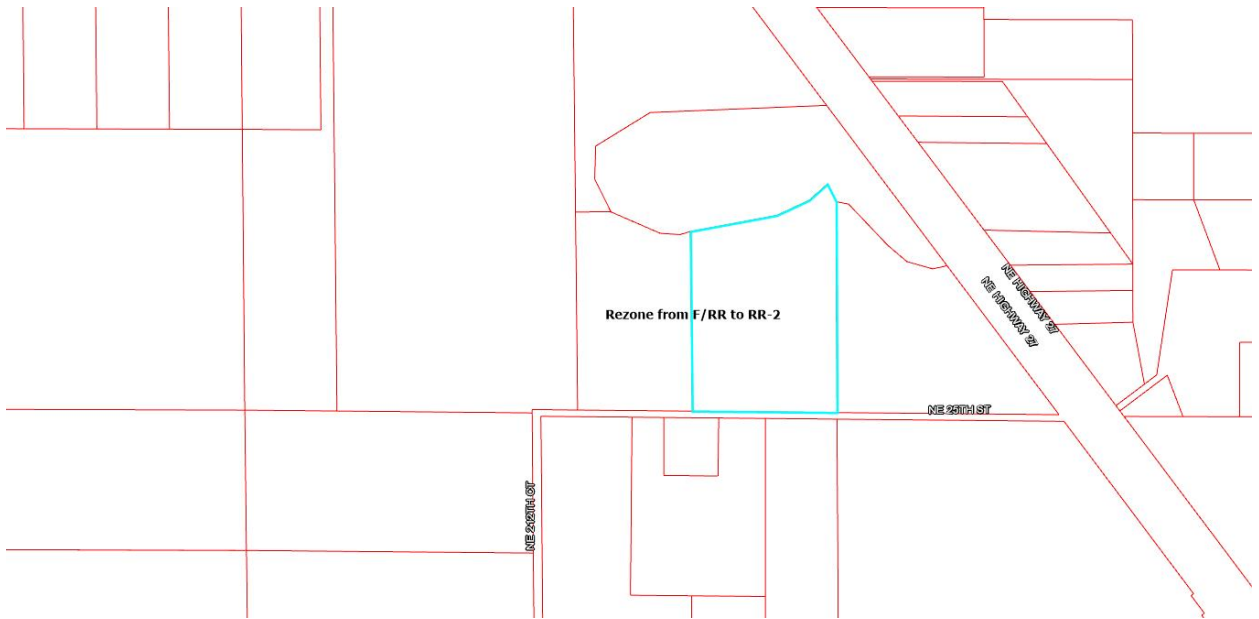
Nicolle M. Shalley, County Attorney

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Exhibit A



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