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**ORDINANCE
NUMBER 2022-5**

AN ORDINANCE OF LEVY COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE LEVY COUNTY COMPREHENSIVE PLAN BY CHANGING THE LAND USE CATEGORY OF APPROXIMATELY 3.8 ACRES (PARCEL ID 0427000500) GENERALLY LOCATED AT THE INTERSECTION OF NE 170th AVENUE AND NE HWY 27, WILLISTON, FLORIDA, AS MORE SPECIFICALLY DESCRIBED IN THIS ORDINANCE FROM URBAN LOW DENSITY RESIDENTIAL (ULDR) TO COMMERCIAL (C); PROVIDING DIRECTIONS TO THE COUNTY COORDINATOR; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING DIRECTIONS TO THE CLERK AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3167, Florida Statutes, requires Levy County to maintain a Comprehensive Plan to guide the future development and growth of the County; and

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

WHEREAS, in compliance with State law, the County maintains a Future Land Use Map as part of the County’s Comprehensive Plan;

WHEREAS, if adopted, this ordinance will amend the Future Land Use Map by changing the land use category of the property that is the subject of this ordinance; and

45 **WHEREAS**, this amendment to the Future Land Use Map involves a use of 50
46 acres or fewer and qualifies as a small-scale development amendment per Section
47 163.3187, Florida Statutes; and

48
49 **WHEREAS**, upon petition of the property owner (Petition No. SSA 21-02), the
50 County Planning Commission which acts pursuant to the authority granted in Sec. 50-55
51 of the County Code and which acts as the Local Planning Agency pursuant to Section
52 163.3174, Florida Statutes, held a public hearing on January 3, 2022, and voted to
53 recommend approval of this Future Land Use Map amendment; and

54
55 **WHEREAS**, at least five days' notice has been given once by publication in a
56 newspaper of general circulation notifying the public of this proposed ordinance and a
57 public hearing to be held by the County Commission; and

58
59 **WHEREAS**, the public hearing was held pursuant to the notice described above
60 at which hearing the parties in interest and all others had an opportunity to be heard; and

61
62 **WHEREAS**, after due consideration at the public hearing, the County Commission
63 finds that this proposed amendment to the Future Land Use Map is consistent with the
64 Levy County Comprehensive Plan and that the requirements and conditions of Chapter
65 163, Florida Statutes, have been met.

66
67 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners
68 of Levy County, Florida:

69
70 **Section 1.** The Future Land Use Map of the Levy County Comprehensive Plan is
71 amended by changing the land use category of the following property from **Urban Low**
72 **Density Residential (ULDR) to Commercial (C)**:

73
74 **Parcel ID 0427000500** (Approximately 3.8 acres): A part of lands described in O.R.B.
75 920, Page 722, of the Public Records of Levy County, Florida; lying in Section 34,
76 Township 12 South, Range 18 East, Levy County, Florida; being more particularly
77 described as follows: Commence at the Southeast corner of said Section 34 and run
78 thence North 02°01'32" West, along the East line of said Section, a distance of 1500.92
79 feet; thence North 89°38'37" West, a distance of 18.01 feet to the West Maintained right-
80 of-way line of N.E. 170th Avenue and the Point-of-Beginning of the herein described
81 parcel; thence continue North 89°38'37" West, a distance of 335.94 feet to the Southerly
82 extension of the East line of the F.D.O.T. Retention Area per O.R.B. 634, Page 604, said
83 Public Records; thence North 01°28'02" West, along said East line, a distance of 526.05

84 feet to the Southwest corner of lands described in O.R.B. 1280, Page 135, said Public
85 Records; thence South 79°07'21" East, along the South line of said O.R.B. 1280, Page
86 135, a distance of 282.52 feet; thence South 59°39'02" East, along said South line, a
87 distance of 71.46 feet to the said West Maintained right-of-way line of N.E. 170th Avenue;
88 thence South 01°20'42" East, along said West Maintained right-of-way line, a distance of
89 438.66 feet to said Point-of-Beginning.

90
91 The location of the property is shown on **Exhibit A** for visual reference. In the event of
92 conflict or inconsistency, the legal description above shall prevail over **Exhibit A**.

93
94 **Section 2.** The County Coordinator, or designee, is authorized and directed to
95 make the necessary changes to maps and other data in the Levy County Comprehensive
96 Plan in order to comply with this ordinance.

97
98 **Section 3.** If any word, phrase, clause, paragraph, section, or provision of this
99 ordinance or the application hereof to any person or circumstance is held invalid or
100 unconstitutional, such finding will not affect the other provisions or applications of this
101 ordinance that can be given effect without the invalid or unconstitutional provision or
102 application, and to this end the provisions of this ordinance are declared severable.

103
104 **Section 4.** All ordinances or parts of ordinances in conflict herewith are to the
105 extent of such conflict hereby repealed.

106
107 **Section 5.** This ordinance shall not be codified in the Code of Ordinances of Levy
108 County, Florida.

109
110 **Section 6.** In accordance with Section 125.66, Florida Statutes, the Clerk to the
111 Board of County Commissioners is directed to file this ordinance with the Florida
112 Department of State within 10 days after adoption and upon such filing, this ordinance
113 shall become effective. However, the effective date of this Levy County Comprehensive
114 Plan Amendment, if not timely challenged, will be thirty-one (31) days after adoption. If
115 this Comprehensive Plan Amendment is timely challenged pursuant to Section
116 163.3187(5)(a), Florida Statutes then the effective date of this Comprehensive Plan
117 Amendment shall be the date the state land planning agency or the Administrative
118 Commission issues a final order determining the Amendment to be in compliance with
119 Chapter 163, Florida Statutes. No development orders, development permits, or land
120 uses dependent on this Comprehensive Plan Amendment may be issued or commenced
121 before it has become effective.

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PASSED AND DULY ADOPTED this ____ day of February, 2022.

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

Russell Meeks Jr., Chairman

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

Exhibit A to Ordinance Number 2022-5

Small Scale Comprehensive Plan Amendment
Land Use Change Application



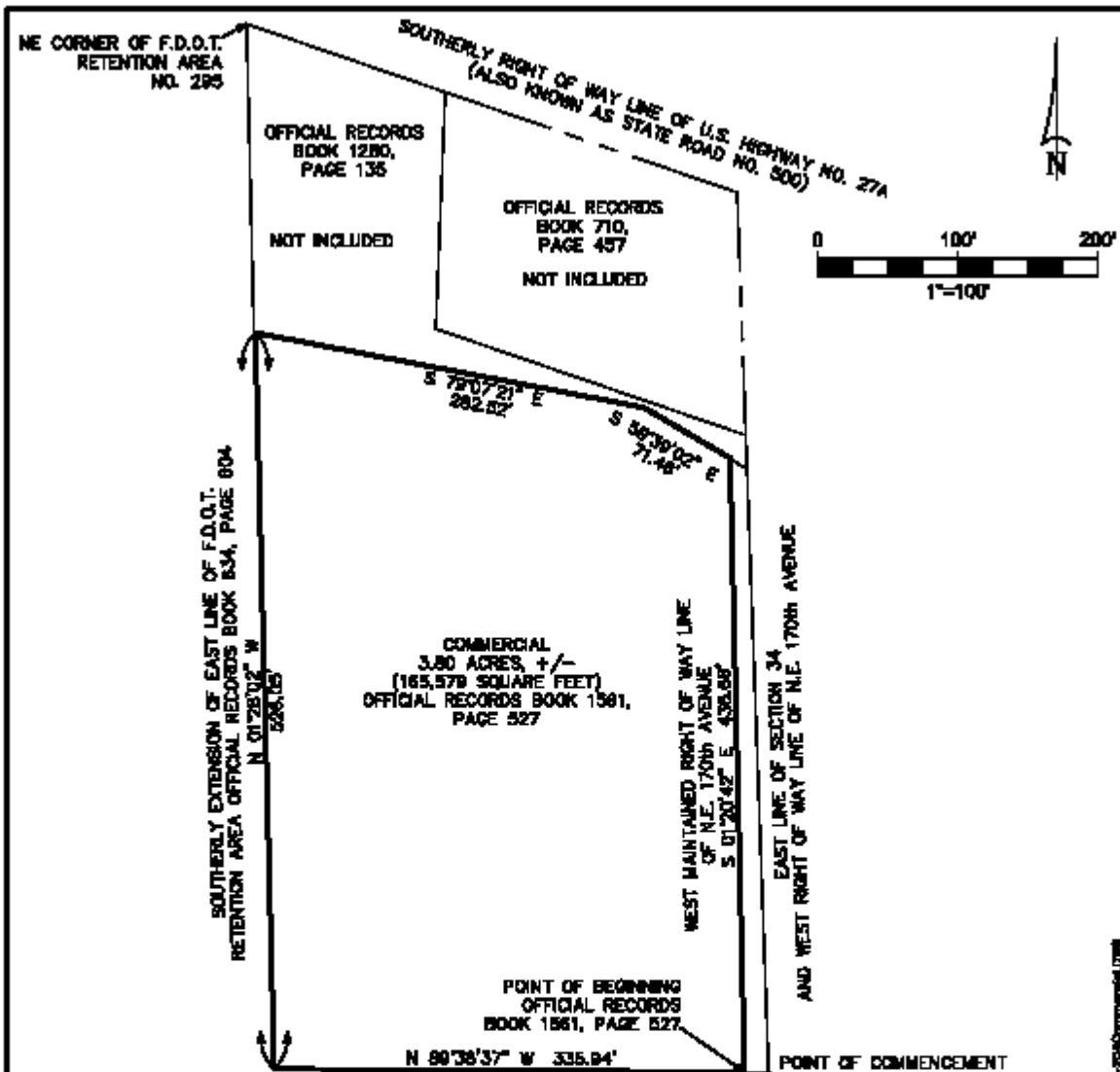
Project Request: A proposed Comprehensive Plan Amendment to amend the Future Land Use Map from Low Density Residential to Commercial.

Project Location: Tax Parcel Number 0427000500

Project Owner: Arthur L. Suggs

Report Date: January 4, 2022

Prepared By: Clay Sweger, AICP, LEED AP
eda consultants, inc.



THIS IS NOT A BOUNDARY SURVEY

DATE	BY	SURVEY DATA	FILE NO.	FIELD NO.	PLAT NO.
1/25/2008	ARL		2008-201		

LEGAL DESCRIPTION SKETCH OF

A PORTION OF THE SE 1/4 OF SECTION 34
TOWNSHIP 12 SOUTH, RANGE 16 EAST,
LEVY COUNTY, FLORIDA

FOR: ARTHUR L. SUGGS

THIS SKETCH OF LEGAL DESCRIPTION MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 473.067 (80B1), FLORIDA STATUTES.

BY ROBERT W. GRAVER P.S.M. 4233

Corporate Authentication
No. LB 2008

N 89°38'37" W 18.01'
N 02°01'32" W 1500.82'



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