

**ORDINANCE  
NUMBER 2021-011**

**AN ORDINANCE OF LEVY COUNTY, FLORIDA, PURSUANT TO CHAPTER 163, FLORIDA STATUTES, ADOPTING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE LEVY COUNTY COMPREHENSIVE PLAN FROM COMMERCIAL (C) TO URBAN LOW DENSITY RESIDENTIAL (ULDR), FOR PROPERTY LOCATED WITHIN THE CHIEFLAND MUNICIPAL SERVICE DISTRICT, SECTION 14, TOWNSHIP 11 SOUTH, RANGE 14 EAST, LEVY COUNTY, FLORIDA, CONTAINING 2.55 ACRES MORE OR LESS; APPLICATION SSA 21-01, APPLICANTS DAVID INFINGER AND KAYLA INFINGER; PROVIDING FOR EXCLUSION FROM CODIFICATION; PROVIDING AN EFFECTIVE DATE.**

**RECITALS**

**WHEREAS**, in a public hearing held on August 3, 2021, the Board of County Commissioners of Levy County ("Board"), reviewed land use amendment SSA 21-01, which is a small scale amendment to the Future Land Use Map of the Levy County Comprehensive Plan (such plan shall herein sometimes be referred to as "the Comprehensive Plan"); and

**WHEREAS**, David Infinger and Kayla Infinger have filed SSA 21-01 seeking a small scale amendment to the Future Land Use Map of the Comprehensive Plan from Commercial (C) to Urban Low Density Residential (ULDR), for property containing 2.55 acres more or less, which is owned by David Infinger and Kayla Infinger, husband and wife, described as Lot 26, Block A., U.S. 19 NO. 1 ADDITION, according to the plat thereof as recorded in Plat Book 2, Page 62, Public Records of Levy County, Florida, LESS right-of-way of LCR C-346 (f/k/a SR S-346); and

**WHEREAS**, Application SSA 21-01 has previously been heard before the Levy County Planning Commission (“Planning Commission”) and, based on the findings and analysis presented in the Planning Department Staff Report dated June 10, 2021, and the evidence presented to the Planning Commission, the proposed amendment has been found to be consistent with the Comprehensive Plan and has been recommended for approval by the Planning Commission; and

**WHEREAS**, after due consideration, the Board finds that the proposed amendment to the Future Land Use Map is consistent with the Levy County Comprehensive Plan, that the requirements and conditions of Chapter 163, Florida Statutes, have been met as they relate to this Application, and that it is in the best interests of the County to approve Application SSA 21-01.

**BE IT ORDAINED** by the Board of County Commissioners of Levy County, Florida:

**Section 1. Approval.** The following Application for amendment to the Future Land Use Map of the Levy County Comprehensive Plan be and hereby is approved:

Application SSA 21-01, requesting a small scale amendment to the Future Land Use Map of the Levy County Comprehensive Plan from Commercial (C) to Urban Low Density Residential (UDLR) for property containing 2.5 acres more or less, described as Lot 26, Block A., U.S. 19 NO. 1 ADDITION, according to the plat thereof as recorded in Plat Book 2, Page 62, Public Records of Levy County, Florida, LESS right-of-way of C-346 (f/k/a SR S-346).

**Section 2. Exclusion from Codification.** This ordinance shall not be included in the Code of Ordinances of Levy County, Florida. This ordinance shall have all legal force and effect as a duly adopted ordinance of Levy County, Florida.

**Section 3. Effective date.** The effective date of this Levy County Comprehensive Plan Amendment shall be thirty-one (31) days after adoption; provided this ordinance has

been filed in the Office of the Secretary of State, State of Florida; and, provided further, that this Comprehensive Plan Amendment has not been challenged pursuant to Section 163.3187(5)(a), Fla. Stat. No development orders, development permits, or land uses dependent on this Comprehensive Plan Amendment may be issued or commenced before it has become effective. If this Comprehensive Plan Amendment is timely challenged pursuant to Section 163.3187(5)(a), Fla. Stat., then the effective date of this Comprehensive Plan Amendment shall be the date the state land planning agency or the Administrative Commission issues a final order determining the adopted Comprehensive Plan Amendment in compliance.

**PASSED AND DULY ADOPTED** this 3<sup>rd</sup> day of August, 2021.

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

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John Meeks, Chairman

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

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Danny J. Shipp, Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
Name: Heather Encinosa  
Interim County Attorney

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7/13/2021