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2
3 **ORDINANCE**
4 **NUMBER 2024-6**

5
6 **AN ORDINANCE OF LEVY COUNTY, FLORIDA,**
7 **AMENDING CHAPTER 50 (LAND DEVELOPMENT CODE)**
8 **OF THE COUNTY CODE OF ORDINANCES RELATED TO**
9 **THE ACCESSORY STRUCTURES AND USES; BY**
10 **REVISING SEC. 50-679 TITLED “LOT REGULATIONS”;**
11 **PROVIDING FOR INCLUSION IN THE CODE; PROVIDING**
12 **A SEVERABILITY CLAUSE; PROVIDING A REPEALING**
13 **CLAUSE; PROVIDING DIRECTIONS TO THE CLERK AND**
14 **AN EFFECTIVE DATE.**

15
16 **WHEREAS**, Section 1, Article VIII of the Florida Constitution and Chapter 125,
17 Florida Statutes, vests the Board of County Commissioners of Levy County, Florida (the
18 “Board”) with the authority to adopt county ordinances that are not inconsistent with state
19 general or special law and provide the required procedures to adopt such ordinances;
20

21 **WHEREAS**, in 1990, the Board adopted the Levy County Comprehensive Plan
22 pursuant to the provisions of Chapter 163, Florida Statutes, which Comprehensive Plan
23 has been amended through adoption of subsequent ordinances (the “Comprehensive
24 Plan”);
25

26 **WHEREAS**, in 1991, the Board adopted the Levy County Land Development
27 Regulations, which have been subsequently amended and are now codified as Chapter
28 50 of the Code of Ordinances of Levy County (the “Land Development Code”);
29

30 **WHEREAS**, after discussion at its August 6, 2024 and August 20, 2024 Regular
31 Meetings, the Board directed the drafting of this ordinance to allow accessory structures
32 and uses to be in any location (but not within required setbacks) within a yard, regardless
33 of the size of the yard;
34

35 **WHEREAS**, on October 7, 2024, as required by Part II of Chapter 163, Florida
36 Statutes and Section 50-55 of the Land Development Code, this proposed ordinance was
37 reviewed by the County Planning Commission for consistency with the Comprehensive
38 Plan and the Planning Commission recommendation has been forwarded to the Board;
39 and
40

41 **WHEREAS**, at least ten (10) days’ notice has been given once by publication in a
42 newspaper of general circulation notifying the public of this proposed ordinance and of a

Note: deletions shown ~~stricken~~, additions shown underlined.

1 public hearing before the Board in the Levy County Government Center in Bronson,
2 Florida.

3
4 **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners
5 of Levy County, Florida, that:

6
7 **Section 1.** Sec. 50-679 titled “Lot Regulations” is amended as set forth below.

8
9 **Chapter 50. Land Development Code**

10 **Article XIII. Zoning**

11 **Division 3. Zoning District Regulations**

12 **Subdivision I. – Zoning District Lot, Yard, Height and other Supplemental**
13 **Development Regulations**

14
15 **Sec. 50-679. - Lot regulations.**

16
17 (a) *Nonconforming legal lot of record.* In any zoning district, a building permit may be
18 issued for a structure on a nonconforming legal lot of record, provided that: the use
19 of the structure is permitted in the zoning district; required setbacks are met; and
20 the lot abuts a street a distance of at least 30 feet or has access via an easement
21 serving no more than two lots and which easement connects to a public street.

22
23 (b) *Accessory structures and uses on lots.* On lots of 5 acres or more in size,
24 accessory uses and structures are allowed prior to a principal use or principal
25 structure and may be located anywhere within the yard. On lots less than 5 acres
26 in size, no accessory uses or structures is are allowed until a principal structure
27 exists on the lot and the accessory uses or structures must may be located ~~in the~~
28 ~~side yard or rear~~ anywhere within the yard. Each accessory structure must meet
29 required setbacks.

30
31 (c) *Corner lots.* At all street intersections, no obstruction to vision (other than an
32 existing building, post, column or tree) exceeding 30 inches in height above the
33 established grade of the street at the property line shall be erected or maintained
34 on any lot within the triangle formed by the street lot lines of such lot and a line
35 drawn between the points along such street lot lines 30 feet distant from their point
36 of intersection.

37
38 **Section 2.** The provisions of Section 1 of this Ordinance shall become and be made a
39 part of the Levy County Code, and the sections of this Ordinance may be renumbered or
40 relettered and the word “ordinance” may be changed to “section,” “article,” “regulation,”
41 or other appropriate word or phrase in order to accomplish the codification.

42
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1 **Section 3.** It is declared to be the intent of the Board that if any section, subsection,
2 sentence, clause, phrase, portion or provision of this Ordinance is for any reason declared
3 or held invalid or unconstitutional by any court of competent jurisdiction, such section,
4 subsection, sentence, clause, phrase, portion or provision shall be deemed a separate,
5 distinct and independent provision, and the remainder of this Ordinance shall be not
6 affected by such declaration or holding.

7
8 **Section 4.** All ordinances or parts of ordinances and all resolutions or parts of
9 resolutions of Levy County in conflict herewith are hereby repealed to the extent of such
10 conflict

11
12 **Section 5.** In accordance with Section 125.66, Florida Statutes, the Clerk to the Board
13 of County Commissioners is directed to file this Ordinance with the Florida Department of
14 State within 10 days after adoption and upon such filing, this Ordinance shall become
15 effective.

16
17 PASSED AND ADOPTED on November 5, 2024.

18 BOARD OF COUNTY COMMISSIONERS
19 OF LEVY COUNTY, FLORIDA

20
21
22 _____
23 Desiree Mills, Chair

24 ATTEST: Clerk of the Circuit Court
25 and Ex-Officio Clerk to the Board of
26 County Commissioners

27 _____
28 Danny J. Shipp, Clerk

29 Approved as to form and legal sufficiency

30
31 _____
32 Nicolle M. Shalley, County Attorney

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