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3
4 **ORDINANCE**
5 **NUMBER 2022-19**
6

7 **AN ORDINANCE OF LEVY COUNTY, FLORIDA,**
8 **AMENDING THE ZONING MAP ATLAS BY REZONING**
9 **CERTAIN REAL PROPERTY CONSISTING OF**
10 **APPOXIMATELY 11.6 ACRES (PARCEL ID 0433100100)**
11 **GENERALLY LOCATED ON NE HWY 27 ALT, WILLISTON,**
12 **FLORIDA FROM SINGLE-FAMILY RESIDENTIAL, URBAN**
13 **(R-2) AND NEIGHBORHOOD COMMERCIAL (C-2) TO**
14 **MODERATELY INTENSIVE COMMERCIAL (C-3);**
15 **PROVIDING DIRECTIONS TO THE COUNTY**
16 **COORDINATOR; PROVIDING A SEVERABILITY CLAUSE;**
17 **PROVIDING A REPEALING CLAUSE; PROVIDING FOR**
18 **EXCLUSION FROM CODIFICATION; PROVIDING**
19 **DIRECTIONS TO THE CLERK AND PROVIDING AN**
20 **EFFECTIVE DATE.**
21

22 **WHEREAS**, Section 163.3167, Florida Statutes, requires Levy County to maintain
23 a Comprehensive Plan to guide the future development and growth of the County; and
24

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

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
35 implement the Comprehensive Plan and that are combined and compiled into a single
36 land development code for the County; and
37

38 **WHEREAS**, the County Land Development Code (Chapter 50 of the County Code
39 of Ordinances) establishes zoning districts to implement the Comprehensive Plan and
40 land development regulations on specific classifications of land within the County; and
41

42 **WHEREAS**, if adopted, this ordinance will amend the Zoning Map Atlas by
43 rezoning the property that is the subject of this ordinance; and
44

45 **WHEREAS**, upon petition of the property owner (Petition No. CZ 22-02), the
46 County Planning Commission which acts pursuant to the authority granted in Sec. 50-55
47 of the County Code and which acts as the Local Planning Agency pursuant to Section
48 163.3174, Florida Statutes, held a public hearing on October 3, 2022, and voted to
49 recommend approval of this rezoning; and

50
51 **WHEREAS**, at least ten days' notice has been given once by publication in a
52 newspaper of general circulation notifying the public of this proposed ordinance and
53 public hearing to be held by the County Commission; and

54
55 **WHEREAS**, the public hearing was held pursuant to the notice described above
56 at which hearing the parties in interest and all others had an opportunity to be heard; and

57
58 **WHEREAS**, after due consideration at the public hearing, the County Commission
59 finds that the rezoning of the subject property will be consistent with the County's
60 Comprehensive Plan when the amendment to the Future Land Use Map adopted by
61 Ordinance Number 2022-18 becomes effective as provided therein; and

62
63 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners
64 of Levy County, Florida:

65
66 **SECTION 1.** The Zoning Map Atlas of Levy County is amended by rezoning the
67 following property from **Single-Family Residential, Urban (R-2) and Neighborhood**
68 **Commercial (C-2) to Moderately Intensive Commercial (C-3):**

69
70 **Parcel ID 0433100100** described as follows:

71
72 The West ½ of the NW ¼ of the SW ¼ of the NE ¼ of Section 1, Township 13
73 South, Range 18 East, Levy County, Florida; and

74
75 That part of the West ½ of the West ½ of the NW ¼ of the NE ¼ of Section 1,
76 Township 13 South, Range 18 East, Levy County, Florida, lying south of U.S.
77 Alternate 27.

78
79 Less and except those lands conveyed to the State of Florida Department of
80 Transportation by Warranty Deed recorded in Official Record Book 589, page 763,
81 of the Public Records of Levy County, Florida.

83 The location of the property (with the existing split in zoning shown – C-2 highlighted
84 green and R-2 highlighted yellow) is shown on Exhibit A for visual reference. In the event
85 of conflict or inconsistency, the legal description above shall prevail over Exhibit A.
86

87 **SECTION 2.** The County Coordinator or designee is authorized and directed to
88 make the necessary changes to the Zoning Map Atlas to comply with this ordinance.
89

90 **SECTION 3.** If any word, phrase, clause, paragraph, section, or provision of this
91 ordinance or the application hereof to any person or circumstance is held invalid or
92 unconstitutional, such finding will not affect the other provisions or applications of this
93 ordinance that can be given effect without the invalid or unconstitutional provision or
94 application, and to this end the provisions of this ordinance are declared severable.
95

96 **SECTION 4.** All ordinances or parts of ordinances in conflict herewith are to the
97 extent of such conflict hereby repealed.
98

99 **SECTION 5.** This ordinance shall not be codified in the Code of Ordinances of
100 Levy County, Florida.
101

102 **SECTION 6.** In accordance with Section 125.66, Florida Statutes, the Clerk to the
103 Board of County Commissioners is directed to file this ordinance with the Florida
104 Department of State within 10 days after adoption and upon such filing, this ordinance
105 shall become effective. However, the amendment to the Zoning Map Atlas shall not
106 become effective until the amendment to the Future Land Use Map of the Comprehensive
107 Plan adopted by Ordinance Number 2022-18 becomes effective as provided therein.
108

109 **PASSED AND ADOPTED** this _____ day of November, 2022.
110

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

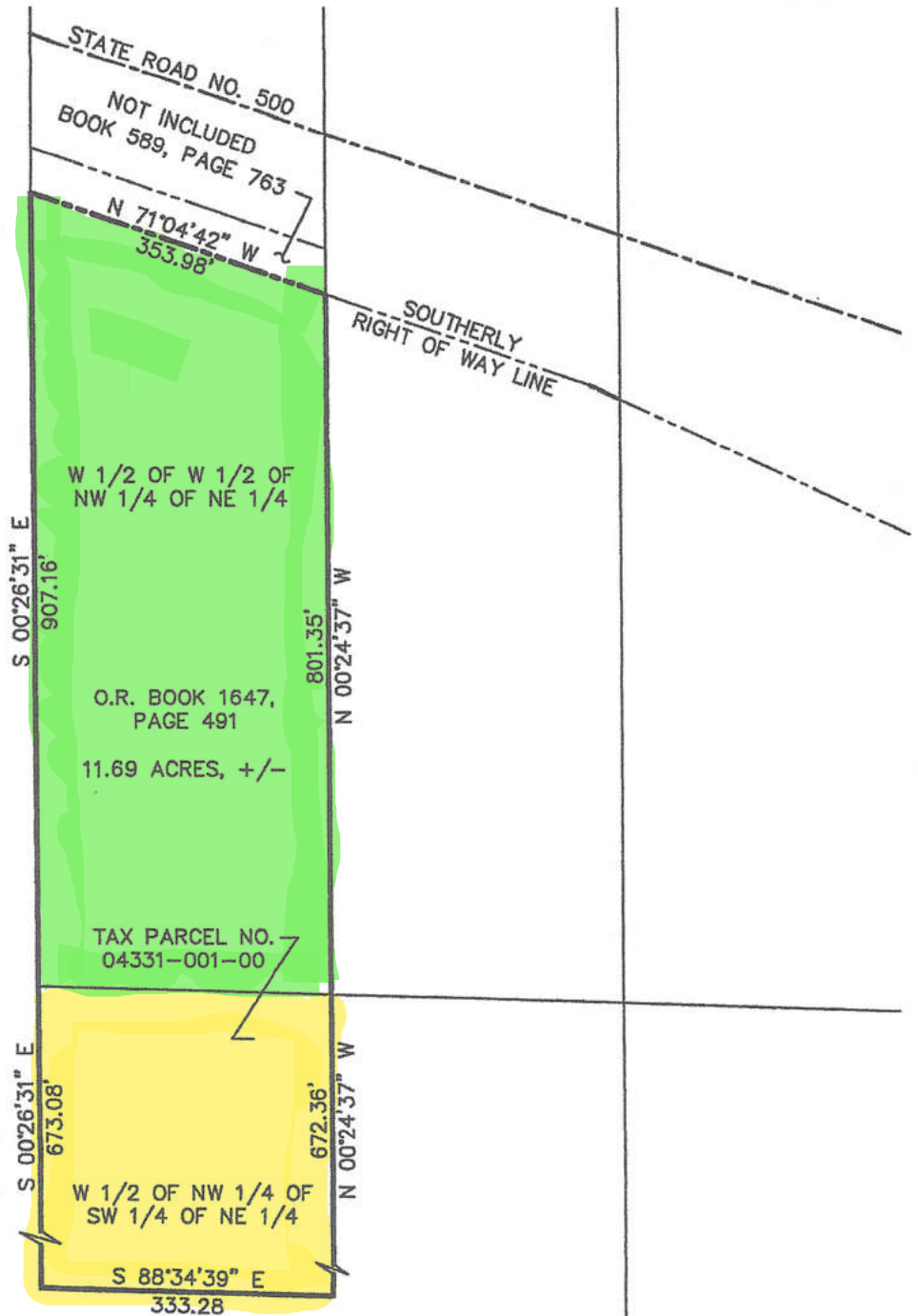
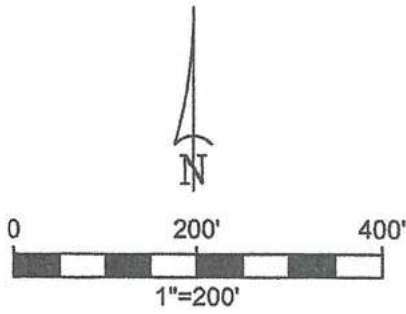
113
114
115 _____
116 Russell Meeks, Jr., Chairman

116 **ATTEST:**
117 Danny J. Shipp, Clerk of Circuit
118 Court and Ex-Officio Clerk to the
119 Board of County Commissioners
120

121
122 _____
123 Danny J. Shipp, Clerk

122 Approved as to form and legal sufficiency
123

124
125 _____
126 Nicolle M. Shalley, County Attorney



THIS IS NOT A BOUNDARY SURVEY

DRN.	CHKD.	SURVEY DATE	DWG COMP	PROJ. NO.	FIELD BK.	PAGE NO.
B.G.	B.G.	8/17/22	2022-117			

LEGAL DESCRIPTION SKETCH OF

A PORTION OF THE W 1/2 OF W 1/2 OF NW 1/4 OF NE 1/4
 AND THE W 1/2 OF NW 1/4 OF SW 1/4 OF NE 1/4 OF
 SECTION 1, TOWNSHIP 13 SOUTH, RANGE 18 EAST
 LEVY COUNTY, FLORIDA

FOR: INFINITY PINK HOLDINGS, LLC

THIS SKETCH OF LEGAL DESCRIPTION MEETS THE STANDARDS OF PRACTICE
 SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND
 MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO
 SECTION 472.027 (2022), FLORIDA STATUTES.

By: **ROBERT W. GRAVER** P.S.M. 4239

Corporate Authorization
 No. LB 2389



eda consultants inc.

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