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**ORDINANCE
NUMBER 2023-1**

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 4.75 ACRES (PARCEL ID NUMBERS 1426400000, 142650000, and 1426600000) LOCATED ON NE HWY 27 ALT, 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;

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;

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

47
48 **WHEREAS**, upon petition of the property owner (Petition No. SSA 22-03), the
49 County Planning Commission which acts pursuant to the authority granted in Sec. 50-55
50 of the County Code and which acts as the Local Planning Agency pursuant to Section
51 163.3174, Florida Statutes, held a public hearing on December 5, 2022, and voted to
52 recommend approval of this Future Land Use Map amendment;

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

57
58 **WHEREAS**, the public hearing was held pursuant to the notice described above
59 at which hearing the parties in interest and all others had an opportunity to be heard; and

60
61 **WHEREAS**, after due consideration at the public hearing, the County Commission
62 finds that this proposed amendment to the Future Land Use Map is consistent with the
63 Levy County Comprehensive Plan and that the requirements and conditions of Chapter
64 163, Florida Statutes, have been met.

65
66 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners
67 of Levy County, Florida:

68
69 **Section 1.** The Future Land Use Map of the Levy County Comprehensive Plan is
70 amended by changing the land use category of the following property from **Urban Low**
71 **Density Residential (ULDR) to Commercial (C)**:

72
73 **Parcel ID Number 1426400000 described as follows:**

74
75 A part of the W ½ of NE ¼ of Section 9, Township 13 South, Range 19 East, Levy
76 County, Florida, and further described and bounded as follows:

77
78 To find the Point of Beginning for this conveyance, start at the Southeast corner of the
79 W ½ of NE ¼ of 9-13-19 and run N 0°06'26" W, for 675.55 feet to an iron pipe-the Point
80 of Beginning. From this Point of Beginning, first run N 88°42'12" W for 557.88 feet to an
81 iron pipe in the edge of the right of way of US Highway #27, thence run, with said right
82 of way, N 36°57'47" W for 200 feet to an iron pipe; thence S 88°41'50" E for 576.94 feet
83 to an iron pipe; thence S35°34'52" E for 173.89 feet to a concrete marker; thence S

84 0°06'26" E for 17.89 feet to the iron pipe which is the Point of Beginning. A/K/A Lot 7,
85 Williston Ridge, Unrecorded

86
87 **And Parcel ID Numbers 142650000 and 142660000 described as follows:**

88
89 A part of the W ½ of NE ¼ of Section 9, Township 13 South, Range 19 East, Levy
90 County, Florida, and further described and bounded as follows:

91
92 To find the Point of Beginning for this conveyance, start at the Southeast corner of the
93 W ½ of NE ¼ of 9-13-19 and run N 0°06'26" W for 429 feet to a concrete marker which
94 is the Point of Beginning. From this Point of Beginning, run S 88°26'44" W for 356.02
95 feet to a concrete marker in the edge of the right of way line of US Highway #27;
96 thence, with said right of way line, N 36°57'47" W. for 336.45 feet to an iron pipe; thence
97 S 88°42'12" E for 557.88 feet to an iron pipe; thence S 0°06'26" E for 246.55 feet to the
98 concrete marker, the Point of Beginning. A/K/A Lots 8 and 9, Williston Ridge,
99 Unrecorded

100
101 The location of the property is shown on **Exhibit A** for visual reference. In the event of
102 conflict or inconsistency, the legal description above shall prevail over **Exhibit A**.

103
104 **Section 2.** The County Coordinator, or designee, is authorized and directed to
105 make the necessary changes to maps and other data in the Levy County Comprehensive
106 Plan in order to comply with this ordinance.

107
108 **Section 3.** If any word, phrase, clause, paragraph, section, or provision of this
109 ordinance or the application hereof to any person or circumstance is held invalid or
110 unconstitutional, such finding will not affect the other provisions or applications of this
111 ordinance that can be given effect without the invalid or unconstitutional provision or
112 application, and to this end the provisions of this ordinance are declared severable.

113
114 **Section 4.** All ordinances or parts of ordinances in conflict herewith are to the
115 extent of such conflict hereby repealed.

116
117 **Section 5.** This ordinance shall not be codified in the Code of Ordinances of Levy
118 County, Florida.

119
120 **Section 6.** In accordance with Section 125.66, Florida Statutes, the Clerk to the
121 Board of County Commissioners is directed to file this ordinance with the Florida
122 Department of State within 10 days after adoption and upon such filing, this ordinance
123 shall become effective. However, the effective date of this Levy County Comprehensive
124 Plan Amendment, if not timely challenged, will be thirty-one (31) days after adoption. If

125 this Comprehensive Plan Amendment is timely challenged pursuant to Section
126 163.3187(5)(a), Florida Statutes then the effective date of this Comprehensive Plan
127 Amendment shall be the date the state land planning agency or the Administrative
128 Commission issues a final order determining the Amendment to be in compliance with
129 Chapter 163, Florida Statutes. No development orders, development permits, or land
130 uses dependent on this Comprehensive Plan Amendment may be issued or commenced
131 before it has become effective.

132
133 **PASSED AND DULY ADOPTED** this 17th day of January, 2023.

134
135 **BOARD OF COUNTY COMMISSIONERS**
136 **OF LEVY COUNTY, FLORIDA**

137
138
139 _____,
_____, Chairman

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

143
144 _____
145 Danny J. Shipp, Clerk

146 Approved as to form and legal sufficiency

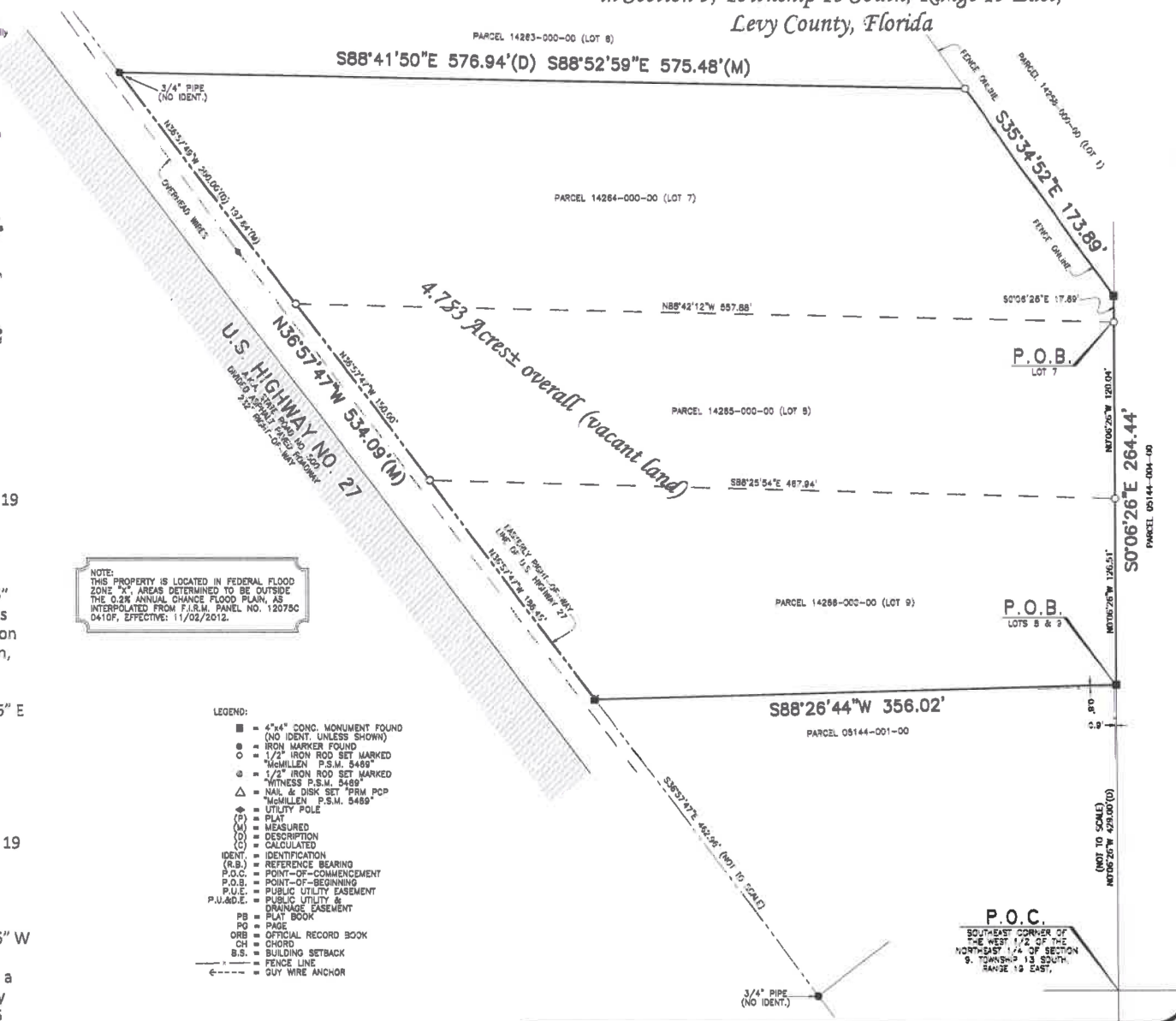
147
148 _____
Nicolle M. Shalley, County Attorney

EXHIBIT "A"

Map of Boundary Survey

Lots 7-9, Williston Ridge Small Farms (unrecorded) lying
in Section 9, Township 13 South, Range 19 East,
Levy County, Florida

- Notes:
- Bearings herein are based on an assumed value of South 88°26'44" West, for the South line of Subject Property, said bearing is identical with the deed of record.
 - Features and improvements, (i.e. foundations, utilities, septic tanks, etc.) not visible beneath the surface of the ground, have not been located unless specifically depicted or noted hereon. If a septic tank is shown upon the map, it was located by probing the ground only and not by excavation. Additional wells and septic tanks may exist which are unknown to the surveyor.
 - Fences, overhead wires, and symbols shown hereon may be exaggerated for pictorial purposes only and are not to scale.
 - Property lines should not be reconstructed based on distances to improvements.
 - Additions or deletions to Survey Maps by other than the signing surveyor is prohibited without written consent of the signing surveyor.
 - This survey does not reflect or determine ownership.
 - This survey is certified to the date of the data acquisition in the field (shown hereon as survey date), ONLY.
 - No instruments of record reflecting easements, rights-of-way, and/or ownership were furnished to the surveyor except as shown. No search of the public records has been done by the surveyor for any encumbrances for subject property or adjoining properties.
 - The building setbacks shown hereon were taken from the record plat or information furnished to the surveyor only. Therefore, if no building setbacks are shown hereon, this does not imply that there are none on subject property. It is suggested by the surveyor that all building setbacks (whether shown or not) are verified at the proper building department with the current zoning of the subject property.
 - Subject Property shown hereon may be a division of a parent tract based on information provided by the client. If so, this survey does not guarantee a building permit and it is suggested that all divisions are verified at the proper building department with the current zoning of the subject property.
 - Information from the Federal Emergency Management Agency (F.E.M.A) Flood Insurance Rate Map shown hereon was current as of the effective or revised date of said map. Map revisions and amendments are periodically made by letter and may not be reflected on said map.



Description: (O.R.B. 1309, page 252)
A part of the W 1/2 of NE 1/4 of Section 9, Township 13 South, Range 19 East, Levy County, Florida, and further described and bounded as follows:

To find the Point of Beginning for this conveyance, start at the Southeast corner of the W 1/2 of NE 1/4 of 9-13-19 and run N 0°06'26" W, for 675.55 feet to an iron pipe-the Point of Beginning. From this Point of Beginning, first run N 88°42'12" W for 557.88 feet to an iron pipe in the edge of the right of way of US Highway #27, thence run, with said right of way, N 36°57'47" W for 200 feet to an iron pipe; thence S 88°41'50" E for 576.94 feet to an iron pipe; thence S 35°34'52" E for 173.89 feet to a concrete marker; thence S 0°06'26" E for 17.89 feet to the iron pipe which is the Point of Beginning.

A/K/A Lot 7, Williston Ridge, unrecorded

AND

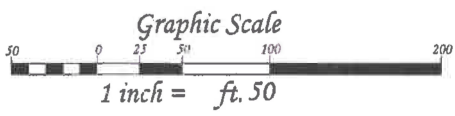
A part of the W 1/2 of NE 1/4 of Section 9, Township 13 South, Range 19 East, Levy County, Florida, and further described and bounded as follows:

To find the Point of Beginning for this conveyance, start at the Southeast corner of the W 1/2 of NE 1/4 of 9-13-19 and run N 0°06'26" W for 429 feet to a concrete marker which is the Point of Beginning. From this Point of Beginning, run S 88°26'44" W for 356.02 feet to a concrete marker in the edge of the right of way line of US Highway #27; thence, with said right of way line, N 36°57'47" W, for 336.45 feet to an iron pipe; thence S 88°42'12" E for 557.88 feet to an iron pipe; thence S 0°06'26" E for 246.55 feet to the concrete marker, the Point of Beginning.

A/K/A Lots 8 and 9, Williston Ridge, unrecorded

NOTE: THIS PROPERTY IS LOCATED IN FEDERAL FLOOD ZONE "X". AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAN, AS INTERPOLATED FROM F.I.R.M. PANEL NO. 12075C 0410P, EFFECTIVE: 11/02/2012.

- LEGEND:
- = 4"x4" CONC. MONUMENT FOUND (NO IDENT. UNLESS SHOWN)
 - = IRON MARKER FOUND
 - = 1/2" IRON ROD SET MARKED "McMILLEN P.S.M. 5489"
 - ⊙ = 1/2" IRON ROD SET MARKED "WITNESS P.S.M. 5489"
 - △ = NAIL & DISK SET "PRM POP" "McMILLEN P.S.M. 5489"
 - ⚡ = UTILITY POLE
 - Ⓜ = PLAT
 - (M) = MEASURED
 - (C) = CALCULATED
 - (R.B.) = IDENTIFICATION
 - (R.B.) = REFERENCE BEARING
 - P.O.C. = POINT-OF-COMMENCEMENT
 - P.O.B. = POINT-OF-BEGINNING
 - P.U.E. = PUBLIC UTILITY EASEMENT
 - P.U.&E. = PUBLIC UTILITY & DRAINAGE EASEMENT
 - P.B. = PLAT BOOK
 - P.G. = PAGE
 - ORB = OFFICIAL RECORD BOOK
 - CH = CHORD
 - B.S. = BUILDING SETBACK
 - = FENCE LINE
 - = GUY WIRE ANCHOR



Prepared By: McMILLEN SURVEYING, INC. 444 N.W. Main Street Williston, Florida, 32688 Office: 352-528-8277	For more information please visit our website www.mcsurveying.com or email us at info@mcsurveying.com	Florida Professional Surveyor and Mapper License No. 35-469 Florida Professional Surveyor and Mapper License No. 35-469 NOTARY PUBLIC IN THE STATE OF FLORIDA ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER	PREPARED FOR: JOSEPH RAWDELL	Scale: 1" = 80' Proj. No. 2022-828A Drawn: S.M.M. Ch'wn: S.M.M. Dwg. Name: 2022-828A Survey Date: 10/10/22 Field Book: 198
	This survey meets the Standards of Practice set forth by the Florida Board of Surveyors & Mappers, pursuant to Chapter 53-17, Florida Administrative Code.	Digitally signed by Joseph Rawdell DN: cn=Joseph Rawdell, o=McMillen Surveying, Inc., email=jrawdell@mcmsurveying.com, c=FL	Professional Surveyor & Mapper steve@mcsurveying.com	Pages: 79