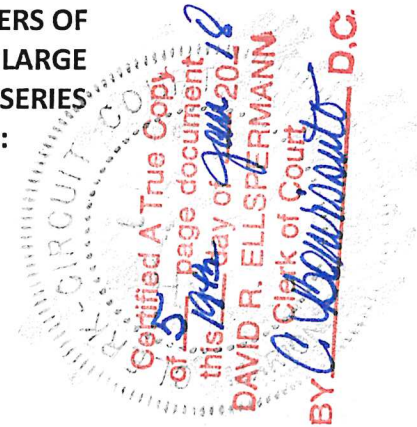


ORDINANCE NO. 18-03

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA; ADOPTING THE FOLLOWING LARGE SCALE AMENDMENT TO THE FUTURE LAND USE MAP SERIES (FLUMS) OF THE MARION COUNTY COMPREHENSIVE PLAN:

2017-L09, CONDORES 7 LLC, OWNER
MARION COUNTY, APPLICANT
197.43 +/- ACRES;
PID# 36243-000-00
RURAL LAND TO
LOW RESIDENTIAL



PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR FINDINGS; PROVIDING FOR APPEALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Marion County, Florida, (Board) is responsible for and has established the Comprehensive Plan Future Land Use Designation of parcels of property in the unincorporated area of Marion County as reflected in the Future Land Use Map Series, and

WHEREAS, the Board has authority to approve large-scale amendments to the Comprehensive Plan consistent with the provisions of Section 163.3187, Florida Statutes, and

WHEREAS, Marion County has submitted Application No. 2017-L09 for a large-scale amendment to the Comprehensive Plan and such application identifies the subject property by suitable legal description, or by parcel numbers, and such identification of property is hereby incorporated into this ordinance by reference, and the property description, illustration, policy, and maps are attached hereto as Exhibits "A" and "B," and

WHEREAS, the Marion County Planning & Zoning Commission, acting as the Local Planning Agency, conducted an advertised public hearing on October 30, 2017 to consider Amendment No. 2017-L09. The Planning & Zoning Commission considered the Growth Services Department's recommendation, received public comment, and made recommendations to the Board regarding the Amendment, including findings of facts related to:

1. Whether the granting of the amendment will not adversely affect the public interest.
2. Whether the proposed amendment is compatible with land uses in the surrounding areas.
3. Whether the proposed amendment is consistent with Chapter 163, Florida Statutes and the Marion County Comprehensive Plan, and

WHEREAS, the Board conducted an advertised transmittal public hearing on November 21, 2017, to consider Amendment No. 2017-L09, the Growth Services Department's recommendation, the Planning and Zoning Commission's recommendation, public comment

received, and acted to transmit the Amendment to the Florida Department of Economic Opportunity (DEO) and other designated agencies for review consistent with Chapter 163.3184, Florida Statutes, and

WHEREAS, the DEO and other agencies received Amendment 2017-L09, and had no comments regarding the proposed Amendment, and

WHEREAS, the Board conducted an advertised adoption public hearing on January 16, 2018, to consider Amendment No. 2017-L09, the Growth Services Department's recommendation, the Planning and Zoning Commission's recommendation, the agency transmittal review comments received (if any), and public comment received, and acted to adopt the Amendment.

NOW, THEREFORE BE IT ORDAINED by the Board of County Commissioners of Marion County, Florida:

SECTION 1. LARGE-SCALE AMENDMENT APPROVAL. The Board hereby approves the below-listed large-scale amendment and authorizes the necessary amendment to Comprehensive Plan Future Land Use Element Map #1 "*Marion County 2035 Future Land Use Map*," in accordance with Exhibits "A" and "B" attached hereto and by this reference made part hereof, based on affirmative findings that the Amendment is compatible with the surrounding land uses, consistent with Chapter 163, Florida Statutes, and the Marion County Comprehensive Plan, and is not adverse to the public interest:

2017-L09, CONDORES 7 LLC, OWNER
MARION COUNTY, APPLICANT
197.43 +/- ACRES;
PID# 36243-000-00
RURAL LAND TO
LOW RESIDENTIAL

SECTION 2. APPEALS. Any affected person may file a petition with the Division of Administrative Hearings pursuant to Sections 120.569 and 120.57, Florida Statutes, to request a hearing to challenge the compliance of this large-scale amendment with Chapter 163, Part II, Florida Statutes, within 30 days following the adoption date of this ordinance.

SECTION 3. SEVERABILITY. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining portions and provision of this ordinance shall remain in full force and effect.

SECTION 4. REPEAL. All ordinances or parts of ordinances which are in conflict with this ordinance are hereby repealed.

SECTION 5. EFFECTIVE DATE. This large-scale amendment shall not become effective until 31 days after the DEO, as the State Land Planning Agency, determines the Amendment adoption package is complete and no petition is filed by an affected party. If the large-scale amendment is challenged within 30 days after adoption, the large-scale amendment shall not

become effective until the DEO or the Administration Commission, respectively, issues a final order determining the adopted large-scale amendment is in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

SECTION 6. CERTIFIED COPY. A certified copy of this ordinance shall be filed with the Department of State by the clerk and shall take effect upon filing with the Department of State, subject to the limitation set forth above.

SECTION 7. COPY ON FILE. This original ordinance shall be filed with the Clerk of the Circuit Court and a certified copy of this ordinance shall be on file in the Marion County Growth Services Department/Planning & Zoning Division for public inspection.

DULY ADOPTED with a quorum present and voting, by the Board of County Commissioners of Marion County, Florida, this 16th day of January, 2018.

**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA**


KATHY BRYANT, CHAIRMAN

ATTEST:


DAVID R. ELLSPERMANN, CLERK

APPROVED AS TO LEGAL FORM AND SUFFICIENCY


MATTHEW MINTER, COUNTY ATTORNEY

RECEIVED NOTICE FROM SECRETARY
OF STATE ON JANUARY 18, 2018
ADVISING ORDINANCE WAS FILED ON
JANUARY 17, 2018

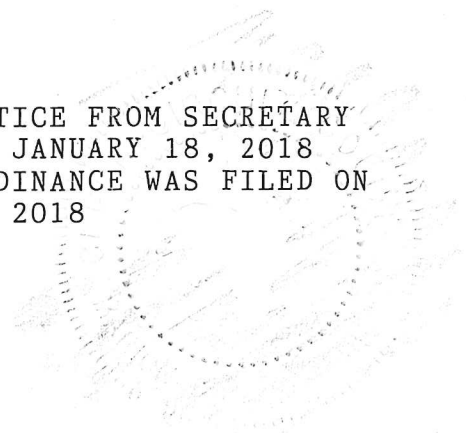


EXHIBIT "A"

EXHIBIT "A"

PER WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 501, PAGES 668 AND 669, OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.

A PORTION OF LOTS 2, 3 AND 4 OF BROWN AND DYALS SURVEY OF A PORTION OF THE CATALINA DE JESUS HUELLOS GRANT, IN TOWNSHIP 16 SOUTH, RANGE 23 EAST AS RECORDED IN PLAT BOOK "E", PAGE 19, OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

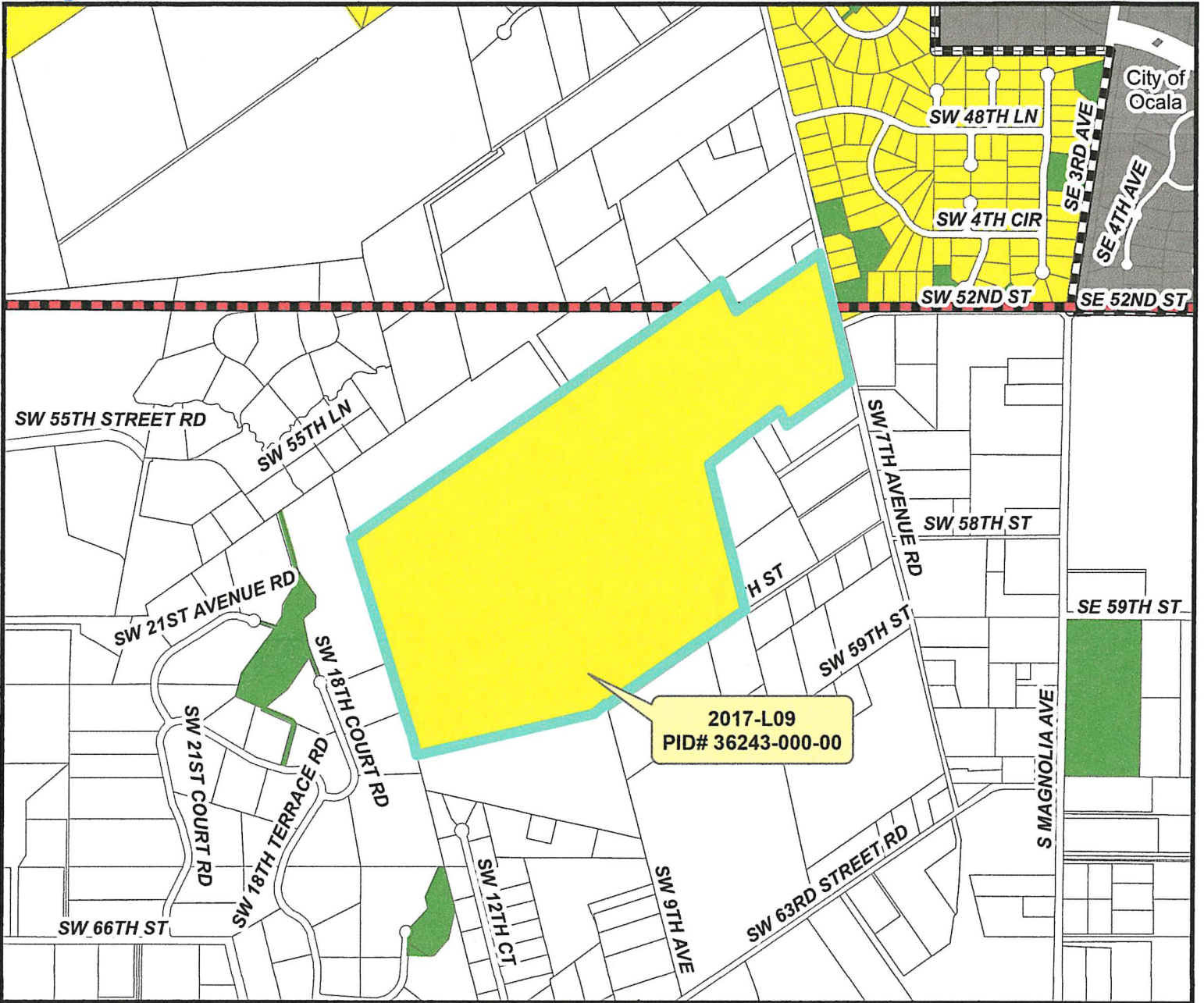
FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHEAST CORNER OF LOT 2 OF BROWN AND DYALS SURVEY; THENCE NORTH 14°00'00" WEST A DISTANCE OF 62.22 FEET; THENCE SOUTH 55°21'33" WEST A DISTANCE OF 34.00 FEET TO THE WESTERLY RIGHT OF WAY LINE OF LEMON AVENUE (60 FEET WIDE); THENCE ALONG SAID RIGHT OF WAY LINE SOUTH 14°08'57" EAST A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING; CONTINUE THENCE ALONG SAID RIGHT OF WAY LINE, SOUTH 14°08'57" EAST A DISTANCE OF 1070.00 FEET; THENCE SOUTH 55°21'33" WEST A DISTANCE OF 628.74 FEET; THENCE NORTH 26°33'16" WEST (DEED: NORTH 26°32'57" WEST) A DISTANCE OF 137.71 FEET; THENCE SOUTH 52°17'33" WEST (DEED: SOUTH 52°18'03" WEST) A DISTANCE OF 300.89 FEET; THENCE SOUTH 52°09'20" WEST A DISTANCE OF 429.48 FEET (DEED: 421.34 FEET); THENCE SOUTH 14°00'00" EAST A DISTANCE OF 1276.20 FEET (DEED 1279.03 FEET) ALONG THE WEST BOUNDARIES OF THE AFOREMENTIONED LOTS 3, 4 AND 5 OF BROWN AND DYALS SURVEY TO THE SOUTHWEST CORNER OF SAID LOT 5; THENCE SOUTH 55°21'33" WEST A DISTANCE OF 1407.12 FEET; THENCE SOUTH 14°00'00" EAST A DISTANCE OF 48.72 FEET; THENCE SOUTH 77°01'59" WEST A DISTANCE OF 1640.00 FEET; THENCE NORTH 17°09'25" WEST A DISTANCE OF 1908.56 FEET; THENCE NORTH 55°21'33" EAST A DISTANCE OF 3718.83 FEET; THENCE SOUTH 26°33'16" EAST (DEED: SOUTH 26°32'57" EAST) A DISTANCE OF 283.84 FEET; THENCE NORTH 55°21'33" EAST A DISTANCE OF 860.91 FEET TO THE AFOREMENTIONED WESTERLY RIGHT OF WAY LINE OF LEMON AVENUE AND THE POINT OF BEGINNING.

Less and Except the following: Begin at the Northwest corner of Lot 13 as shown on the Plat of Brown & Dial as recorded in Plat Book E, page 19 of the public records of Marion County, Florida; thence N.14°39'03"W., along the West line of said Brown & Dial Subdivision, 62.19 feet to an iron rod & cap; thence S.48°56'38"W., 135.91 feet, to a point intersecting that property described in Official Records Book 992, page 002, of the public records of Marion County, Florida; thence N.76°56'05"E., 118.69 feet, along the Northerly line of said property, to the Point of Beginning.

AND

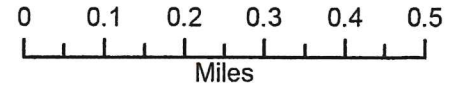
Less and Except any portion of the real property lying within the Plat of the Summit II recorded in Plat Book V, pages 60 through 64, of the public records of Marion County, Florida.


















Legend

-  UGB
-  Parcel
-  Waterbodies
-  2017-L09



FUTURE LAND USE DESIGNATION

- | | |
|--|---|
|  Rural Land (1 du/10 ac) |  Commercial (0 - 6 du/ac; FAR 1.0) |
|  Low Residential (0 - 1 du/ac) |  Employment Center (0 - 12 du/ac; FAR 2.0) |
|  Medium Residential (1 - 4 du/ac) |  Commerce District (N/A; FAR 2.0) |
|  High Residential (4 - 8 du/ac) |  Public (N/A; FAR 1.0) |
|  Urban Residential (8 - 16 du/ac) |  Preservation (N/A; N/A) |
|  Rural Activity Center (0 - 2 du/ac; FAR 0.35) |  Municipality |
|  Rural Community (0 - 3 du/ac; FAR 0.70) | |



Adoption Date: 01/16/18

Information shown hereon is compiled from best available data for use by the Marion County Growth Services Department. This data should not be used for surveying or land transfers of any type. Parcel information is for representation only, and may not reflect the most recent transactions or parcel records.