

ORDINANCE 22-08

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

**2022-S04, KLEERVIEW INVESTMENT GROUP, LLC
+/- .55 ACRES
PARCEL # 2304-022-001
FROM MEDIUM RESIDENTIAL TO HIGH RESIDENTIAL**

PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR FINDINGS; PROVIDING FOR APPEALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; 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 small-scale amendments to the Comprehensive Plan consistent with the provisions of Section 163.3187, Florida Statutes, and

WHEREAS, the property owner submitted Application No. 2022-S04 for a small-scale amendment to the Comprehensive Plan and such application identifies the subject property by suitable legal description, or by parcel number, and such identification of property is hereby incorporated into this ordinance by reference, and the property description and illustration are attached hereto as Exhibits "A" and "B" respectively, and

WHEREAS, the Marion County Planning and Zoning Commission, acting as the Local Planning Agency, conducted an advertised public hearing on February 21, 2022, to consider Amendment No. 2022-S04. The Planning and Zoning Commission considered the Growth Services Department's recommendation, received public comment, and made recommendations to the Board regarding the Amendment, including findings of fact 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 adoption public hearing on March 15, 2022, to consider Amendment No. 2022-S04, considering the Growth Services Department's recommendation, the Planning and Zoning Commission's recommendation, 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. SMALL-SCALE AMENDMENT APPROVAL. The Board hereby approves the below-listed small-scale amendment to the Comprehensive Plan and authorizes the necessary amendment to the Future Land Use Map Series, in accordance with Exhibits "A" and "B" attached hereto and by this reference made a part hereof, based on findings that it does not adversely affect the public interest, is compatible with land uses in the surrounding areas, and is consistent with the Marion County Comprehensive Plan and Chapter 163, Florida Statutes:

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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 small-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. CONFLICTS. In the event that any other Ordinances are in conflict with this Ordinance, the provisions of this Ordinance shall prevail with respect to this property.

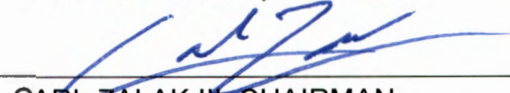
SECTION 5. EFFECTIVE DATE. This small-scale amendment shall not become effective until 31 days after adoption. If this small-scale amendment is challenged within 30 days after adoption, then this small-scale amendment shall not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining the adopted small-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.

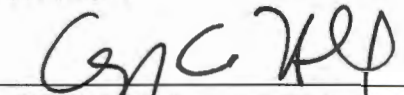
SECTION 7. COPY ON FILE. This original ordinance shall be filed with the Clerk of the Circuit Court and a certified copy of this ordinance shall be on file in the Marion County Growth Services Department – Planning and Zoning Division for public inspection.

DULY ADOPTED with a quorum present and voting, by the Board of County Commissioners of Marion County, Florida, this 15th day of March, 2022.

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


CARL ZALAK III, CHAIRMAN

ATTEST:


GREGORY C. HARRELL, CLERK

RECEIVED NOTICE FROM SECRETARY OF STATE ON
MARCH 23, 2022 ADVISING ORDINANCE WAS FILED
ON MARCH 23, 2022.

APPROVED AS TO LEGAL FORM AND SUFFICIENCY

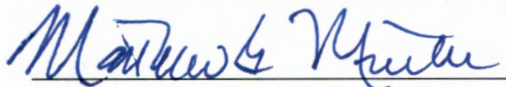
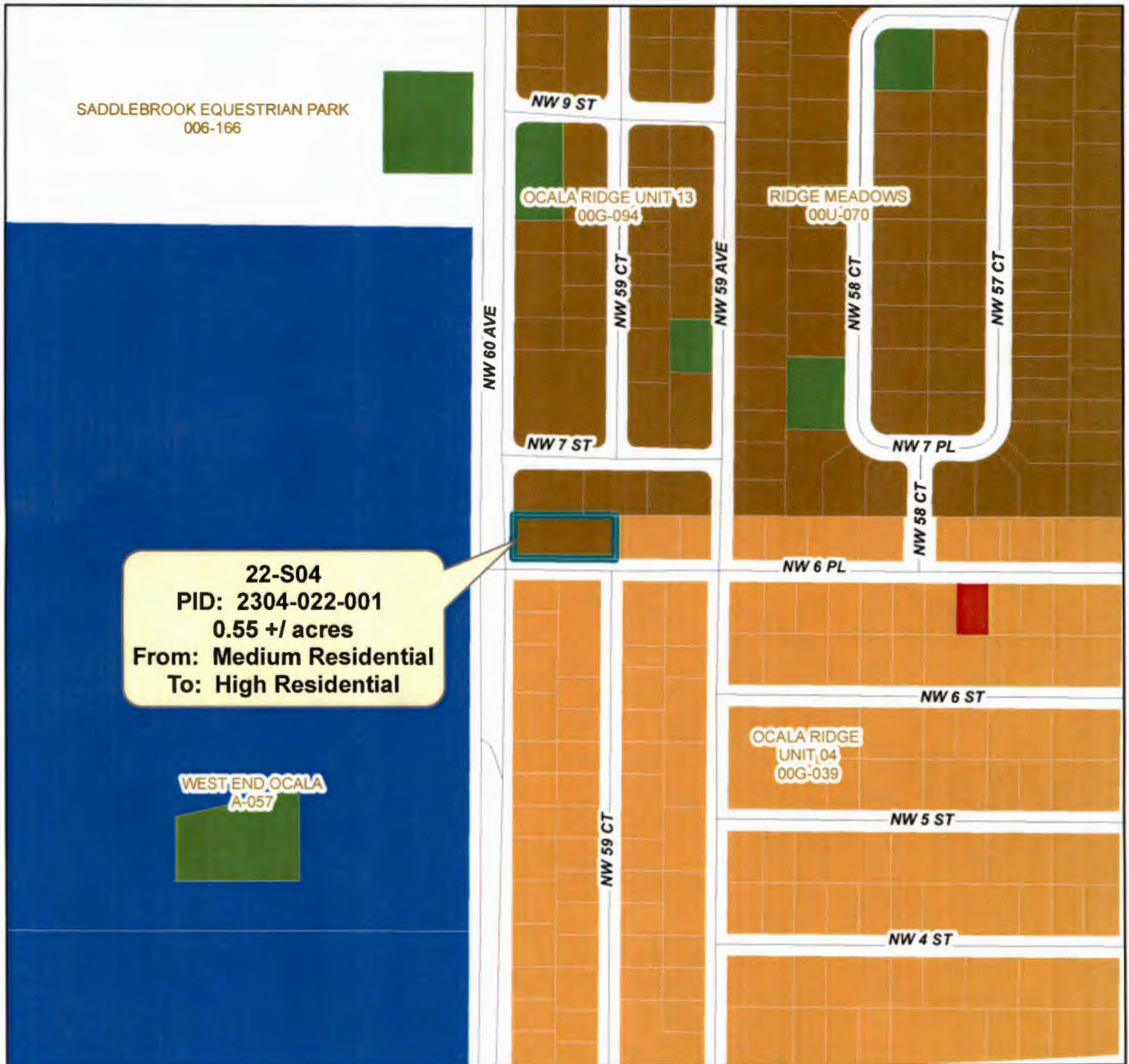

MATTHEW MINTER, COUNTY
ATTORNEY

EXHIBIT "A"

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, Block V, Ocala Ridge, Unit No. 4, according to the map or plat thereof, as recorded in Plat Book G, Page(s) 39, of the Public Records of Marion County, Florida.



Parcels  Kleerview Investment Group, LLC



FUTURE LAND USE DESIGNATION

 RL - Rural Land (1 du/10 ac)	 COM - Commercial (0-6 du/ac; FAR 1.0)
 LR - Low Residential (0-1 du/ac)	 EC - Employment Center (0-12 du/ac; FAR 2.0)
 MR - Medium Residential (1-4 du/ac)	 CD - Commerce District (N/A; FAR 2.0)
 HR - High Residential (4-8 du/ac)	 P - Public (N/A; FAR 1.0)
 UR - Urban Residential (8-16 du/ac)	 PR - Preservation (N/A; N/A)
 RAC - Rural Activity Center 0-2 du/ac; FAR 0.35)	 M - Municipality



Date: March 15, 2022