



**ORDINANCE NO.00-31**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, PROVIDING FOR PURPOSE AND INTENT; ADOPTING SMALL SCALE AMENDMENTS TO THE COMPREHENSIVE PLAN INCLUDING AMENDMENTS TO THE FUTURE LAND USE MAP FOR THE FOLLOWING:

*00-S12, SCOTT AND KATHY SUMNER, 0.46 ACRES, RURAL LAND to COMMERCIAL;*

*00-S13, MARKOVICH PROPERTIES, INC., 3.27 ACRES, LOW DENSITY RESIDENTIAL to COMMERCIAL;*

*00-S14, C.L. DINKINS, TRUSTEE, 2.0 ACRES, URBAN RESERVE to COMMERCIAL;*

*00-S15, DINKINS & DINKINS, INC. 1.48 ACRES, URBAN RESERVE to COMMERCIAL;*

*00-S16, DINKINS & DINKINS, INC. 1.02 ACRES, URBAN RESERVE to COMMERCIAL;*

*00-S17, KATHERINA AND CHRISTINA BESSER, 1.91 ACRES, URBAN RESERVE to COMMERCIAL;*

*00-S18, WILSON MARTINS, 6.30 ACRES, LOW DENSITY RESIDENTIAL to HIGH DENSITY RESIDENTIAL;*

*00-S19, PEARLIE M. THOMAS, 0.82 ACRES, LOW DENSITY RESIDENTIAL to COMMERCIAL;*

*00-S20, DANIEL F. GRAY, III, 0.34 ACRES, MEDIUM DENSITY RESIDENTIAL to COMMERCIAL;*

*00-S21, FRED AND LYDIA RUST, 0.48 ACRES, MEDIUM DENSITY RESIDENTIAL to COMMERCIAL;*

*00-S22, W. BROWDER, L. SLAUGHTER & J. RAINFORD, 2.03 ACRES, INDUSTRIAL LANDS to COMMERCIAL;*

*00-S23, NELL MARIE GORDON, TR, 3.25 ACRES, RURAL LAND to COMMERCIAL;*

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 small scale amendments to the Comprehensive Plan consistent with the provisions of Section 163.3187, Florida Statutes, and

CERTIFIED A TRUE COPY,  
DAVID R. ELSTERMANN  
BY: *Marion Pauley* DG

WHEREAS, the property owners have submitted an application for small scale amendments to the Comprehensive Plan and such application identifies the subject property by metes and bounds description or by parcel number and such identification of property is hereby incorporated into this ordinance by reference, subject to changes contained in this ordinance, and the property descriptions are attached hereto as Exhibits A3-14, and,

WHEREAS, the Marion County Planning Commission has conducted an advertised public hearing on October 25, 2000 to consider such applications and the Planning Commission has made recommendations to the Board of County Commissioners including findings of facts relating to:

1. Whether the granting of the amendments will adversely affect the public interest.
2. Whether the proposed amendments are compatible with land uses in the surrounding area.
3. Whether the proposed amendments are consistent with Chapter 163, Florida Statutes and Rule 9J-5, Florida Administrative Code, and the Marion County Comprehensive Plan, and

WHEREAS, the Board has considered such applications, the recommendation of the Planning Department and the recommendation of the Planning Commission at an advertised public hearing on November 8, 2000 and the Board has received and considered public comment, 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 amendments to the Future Land Use Map Series, in accordance with Exhibit B-3, attached hereto and by this reference made a part hereof, based on a finding of compatibility and consistency with the Marion County Comprehensive Plan.

**00-S12, SCOTT AND KATHY SUMNER, 0.46 ACRES,  
RURAL LAND to COMMERCIAL**

**SECTION 2. SMALL SCALE AMENDMENT APPROVAL.** The Board hereby approves the below-listed small scale amendment to the Comprehensive Plan and authorizes the necessary amendments to the Future Land Use Map Series, in accordance with Exhibit B-4, attached hereto and by this reference made a part hereof, based on a finding of compatibility and consistency with the Marion County Comprehensive Plan.

**00-S13, MARKOVICH PROPERTIES, INC., 3.27 ACRES,  
LOW DENSITY RESIDENTIAL to COMMERCIAL**

**SECTION 3. SMALL SCALE AMENDMENT APPROVAL.** The Board hereby approves the below-listed small scale amendment to the Comprehensive Plan and authorizes the necessary amendments to the Future Land Use Map Series, in accordance with Exhibit B-5, attached hereto and by this reference made a part hereof, based on a finding of compatibility and consistency with the Marion County Comprehensive Plan.

00-S14, C.O. DINKINS, TRUSTEE, 2.0 ACRES,  
URBAN RESERVE to COMMERCIAL

**SECTION 4. SMALL SCALE AMENDMENT APPROVAL.** The Board hereby approves the below-listed small scale amendment to the Comprehensive Plan and authorizes the necessary amendments to the Future Land Use Map Series, in accordance with Exhibit B-6, attached hereto and by this reference made a part hereof, based on a finding of compatibility and consistency with the Marion County Comprehensive Plan.

00-S15, DINKINS AND DINKINS, INC., 1.48 ACRES,  
URBAN RESERVE to COMMERCIAL

**SECTION 5. SMALL SCALE AMENDMENT APPROVAL.** The Board hereby approves the below-listed small scale amendment to the Comprehensive Plan and authorizes the necessary amendments to the Future Land Use Map Series, in accordance with Exhibit B-7, attached hereto and by this reference made a part hereof, based on a finding of compatibility and consistency with the Marion County Comprehensive Plan.

00-S16, DINKINS AND DINKINS, INC., 1.02 ACRES,  
URBAN RESERVE to COMMERCIAL

**SECTION 6. SMALL SCALE AMENDMENT APPROVAL.** The Board hereby approves the below-listed small scale amendment to the Comprehensive Plan and authorizes the necessary amendments to the Future Land Use Map Series, in accordance with Exhibit B-8, attached hereto and by this reference made a part hereof, based on a finding of compatibility and consistency with the Marion County Comprehensive Plan.

00-S17, KATHERINA AND CHRISTINA BESSER., 1.91 ACRES,  
URBAN RESERVE to COMMERCIAL

**SECTION 7. SMALL SCALE AMENDMENT APPROVAL.** The Board hereby approves the below-listed small scale amendment to the Comprehensive Plan and authorizes the necessary amendments to the Future Land Use Map Series, in accordance with Exhibit B-9, attached hereto and by this reference made a part hereof, based on a finding of compatibility and consistency with the Marion County Comprehensive Plan.

00-S18, WILSON MARTINS, 6.30 ACRES,  
LOW DENSITY RESIDENTIAL to HIGH DENSITY RESIDENTIAL

**SECTION 8. SMALL SCALE AMENDMENT APPROVAL.** The Board hereby approves the below-listed small scale amendment to the Comprehensive Plan and authorizes the necessary amendments to the Future Land Use Map Series, in accordance with Exhibit B-10, attached hereto and by this reference made a part hereof, based on a finding of compatibility and consistency with the Marion County Comprehensive Plan.

**00-S19, PEARLIE M. THOMAS, 0.82 ACRES,  
LOW DENSITY RESIDENTIAL to COMMERCIAL**

**SECTION 9. SMALL SCALE AMENDMENT APPROVAL.** The Board hereby approves the below-listed small scale amendment to the Comprehensive Plan and authorizes the necessary amendments to the Future Land Use Map Series, in accordance with Exhibit B-11, attached hereto and by this reference made a part hereof, based on a finding of compatibility and consistency with the Marion County Comprehensive Plan.

**00-S20, DANIEL F. GRAY, 0.34 ACRES,  
MEDIUM DENSITY RESIDENTIAL to COMMERCIAL**

**SECTION 10. SMALL SCALE AMENDMENT APPROVAL.** The Board hereby approves the below-listed small scale amendment to the Comprehensive Plan and authorizes the necessary amendments to the Future Land Use Map Series, in accordance with Exhibit B-12, attached hereto and by this reference made a part hereof, based on a finding of compatibility and consistency with the Marion County Comprehensive Plan.

**00-S21, FRED & LYDIA RUST, 0.48 ACRES,  
MEDIUM DENSITY RESIDENTIAL to COMMERCIAL**

**SECTION 11. SMALL SCALE AMENDMENT APPROVAL.** The Board hereby approves the below-listed small scale amendment to the Comprehensive Plan and authorizes the necessary amendments to the Future Land Use Map Series, in accordance with Exhibit B-13, attached hereto and by this reference made a part hereof, based on a finding of compatibility and consistency with the Marion County Comprehensive Plan.

**00-S22, W. BROWDER, L. SLAUGHTER & J. RAINFORD, 2.03 ACRES,  
INDUSTRIAL LAND to COMMERCIAL**

**SECTION 12. SMALL SCALE AMENDMENT APPROVAL.** The Board hereby approves the below-listed small scale amendment to the Comprehensive Plan and authorizes the necessary amendments to the Future Land Use Map Series, in accordance with Exhibit B-14, attached hereto and by this reference made a part hereof, based on a finding of compatibility and consistency with the Marion County Comprehensive Plan.

**00-S23, NELL MARIE GORDON, TR, 3.25 ACRES,  
RURAL LAND to COMMERCIAL**

**SECTION 13. STATE LAND PLANNING AGENCY.** The Planning Director is hereby directed to send copies of the notice and amendment(s) to the state land planning agency, the regional planning council and any other person or entity requesting a copy. The state land planning agency shall not review or issue a notice of intent for small scale development amendments.

**SECTION 14. APPEALS.** Any affected person may file a petition with the Division of Administrative Hearings pursuant to ss. 120.569 and 120.57, to request a hearing to challenge the compliance of a small scale development amendment with Chapter 163 within 30 days following the adoption date of this ordinance.

**SECTION 15. 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 provisions of this ordinance shall remain in full force and effect.

**SECTION 16. COPY ON FILE.** The 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 Planning Department for public inspection.

**SECTION 17. EFFECTIVE DATE.** Small scale development amendments shall not become effective until 31 days after adoption. If one or more small scale amendment(s) is challenged within 30 days after adoption, those small scale development amendment(s) shall not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining the adopted small scale development amendment is in compliance. No development orders, development permits or land uses dependent on these amendments may be issued or commence before it has become effective. 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.

**DULY ADOPTED** with a quorum present and voting, by the Board of County Commissioners of Marion County, Florida, this 8<sup>th</sup> day of November, 2000.

ATTEST:

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

  
\_\_\_\_\_  
DAVID R. ELLSPERMANN, CLERK

  
\_\_\_\_\_  
STEVE F. HENNING, CHAIRMAN

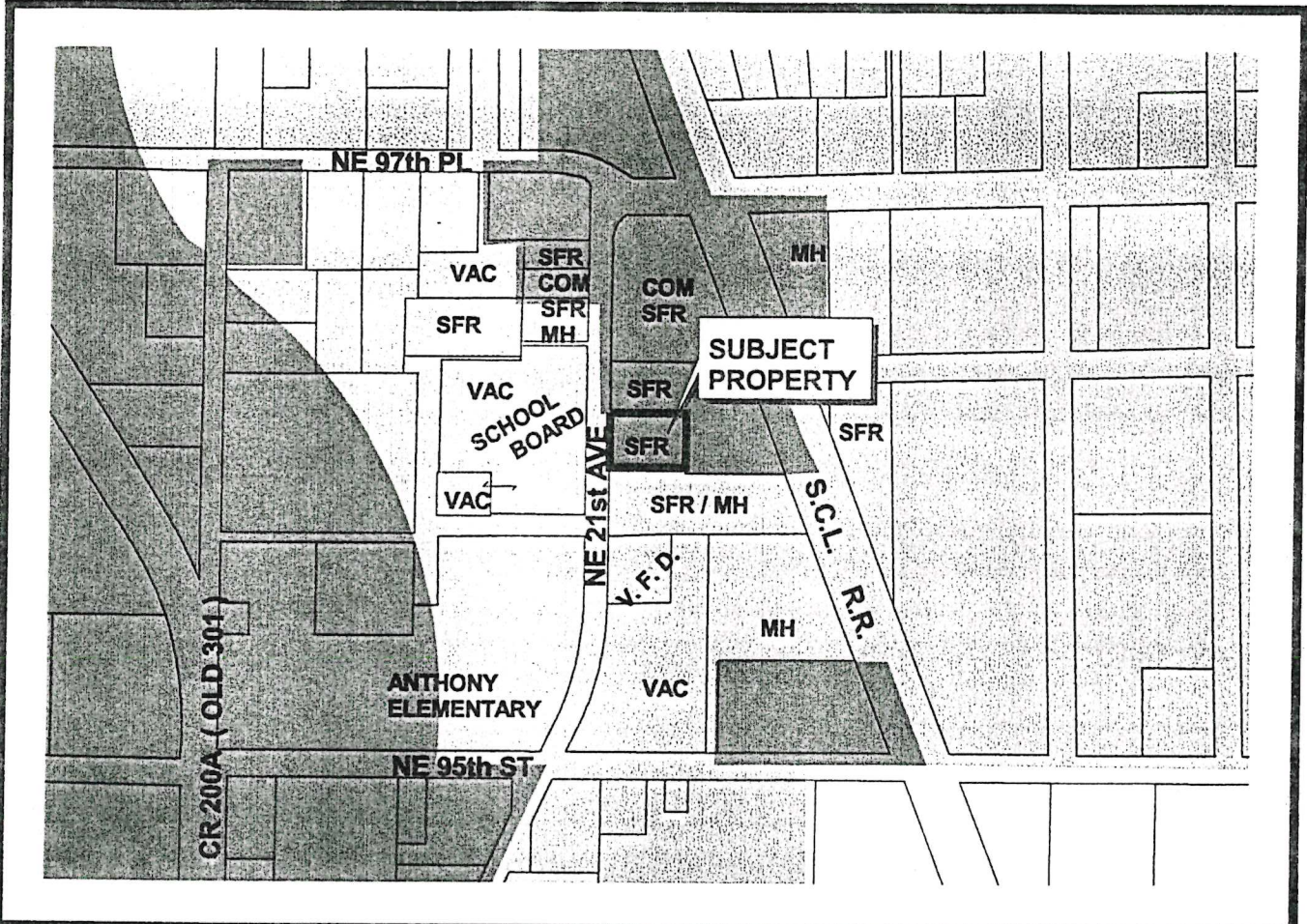
EXHIBIT "A12"

Parcel # 14138-000-00, containing 0.41 acres, more or less.

*DESCRIPTION:  
COMMENCING 30 FEET EAST AND 110 FEET SOUTH OF THE SW CORNER OF RAILROAD  
DEPOT GROUNDS, ANTHONY, FLORIDA THENCE SOUTH, 118 FEET; THENCE EAST, 177  
FEET; THENCE NORTH 118 FEET; THENCE WEST, 177 FEET, IN SECTION 9, TOWNSHIP  
14 SOUTH, RANGE 22 EAST, MARION COUNTY, FLORIDA.*

00-S21, Fred and Lydia Rust

# EXHIBIT B12



SFR	SINGLE FAMILY RESIDENCE
AG	AGRICULTURAL
VAC	VACANT
CRH	CHURCH
MH	MOBILE HOME
IND	INDUSTRIAL
PUB	PUBLIC
REC	RECREATION
COM	COMMERCIAL STRUCTURE



- Natural Reservation
- Municipalities
- RAC
- DRI Boundaries
- Low Density Residential
- Med Density Residential
- High Density Residential
- Commercial
- Limited Commercial
- Industrial
- Public Use
- Conservation
- Recreation
- Urban Commerce District
- Urban Neighborhood District
- Rural Village District
- Rural Lands
- COMM-REC
- Specialized Comm Dist
- Urban Reserve

☆ Policy 1.20

OWNER: Fred & Lydia Rust

AGENT: Southern States Cooperative Inc.

PARCEL(S): 14138-000-00

LOCATION:  
Property is located approximately 600 feet North of NE 95th ST on the East side of NE 21st AVE. .

Approximate scale: 1" = 400'

The information shown hereon is compiled from the best available sources and for use by the County offices only. This data should not be used for surveying or land transfer of any type

00-S21

July 2000