

ORDINANCE NO. 2024- 01__

AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS OF CALHOUN COUNTY, FLORIDA, APPROVING THE APPLICATION FOR AN AMENDMENT TO THE FUTURE LAND USE MAP IN THE COMPREHENSIVE PLAN OF CALHOUN COUNTY, FLORIDA, DATED 2010-2025, AS AMENDED, BY CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM MIXED USE RURAL RESIDENTIAL (1:1) TO RESIDENTIAL (2:1) FOR ±0.922 ACRES OF LAND AT 15454 NW ASHLEY SHIVER RD ALTHA FL 32421 (PARCEL ID. NUMBER: 04-1N-09-0000-0010-0101); PROVIDING FOR A COPY ON FILE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Florida Statutes, empowers the Board of County Commissioners of Calhoun County, Florida, to prepare, amend and enforce a Comprehensive Plan to guide land use and development in the County; and

WHEREAS, the Planning Commission of Calhoun County, Florida, sitting as the Local Planning Agency, conducted a Public Hearing regarding this small-scale Comprehensive Plan Amendment on March 5, 2024, after due public notice, and considering the findings and advice of all interested parties; and

WHEREAS, the Board of County Commissioners of Calhoun County, Florida, held an Adoption Hearing on March 5, 2024, to consider the adoption of this small-scale Comprehensive Plan Amendment pursuant to Section 163.3184, Florida Statutes, with due public notice having been provided, and having reviewed and considered all comments received during the Adoption Hearing; and

WHEREAS, in exercise of its authority the Board of County Commissioners of Calhoun County, Florida, finds it necessary and desirable to adopt, and does hereby adopt, this small-scale Comprehensive Plan Amendment in order to encourage the most-appropriate use of land, water and resources, consistent with the public interest, and to deal effectively with future problems that may result from the use and development of land within Calhoun County, Florida, as provided below.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CALHOUN COUNTY, FLORIDA, AS FOLLOWS:

SECTION ONE. PURPOSE AND INTENT

This ordinance is enacted to carry out the purpose, the intent of, and exercise the authority set out in, the Local Government Comprehensive Act, Sections 163.3161 through 163.3215, Florida Statutes.

SECTION TWO. COMPREHENSIVE PLAN AMENDMENT ADOPTED

This small-scale Comprehensive Plan Amendment, as described in attached Exhibits A and B, is hereby adopted in order to amend the Future Land Use Map in the Comprehensive Plan of Calhoun County, Florida.

SECTION THREE. SEVERABILITY.

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

SECTION FOUR. COPY ON FILE

An official, true copy of this small-scale Comprehensive Plan Amendment, as adopted, shall be maintained by the Board of County Commissioners of Calhoun County.

SECTION FIVE. EFFECTIVE DATE

In accordance with Section 163.3187(3) (c), Florida Statutes, this small-scale Comprehensive Plan Amendment shall become effective 31 days after the date of adoption by the Board of County Commissioners of Calhoun County, Florida, if no challenge is filed. If this small-scale Comprehensive Plan Amendment is challenged within 30 days of the adoption date, then this amendment shall not become effective until the State Land Planning Agency, or the Administration Commission issues a Final Order determining this amendment to be in compliance. No Development Orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED AND DULY ADOPTED BY THE Board of County Commissioners of Calhoun County, Florida, this 5th day of March 2024.

Board of County Commissioners
of Calhoun County, Florida

BY:


Darryl O'Bryan, Chairman

ATTEST:


Carla Hand, Clerk

Exhibit "A": Legal Description

FLUM Amendment of ±0.922 acres at 15454 NW Ashley Shiver Rd Altha Fl (Parcel ID. Number: 04-1N-09-0000-0010-0101) from Mixed Use Rural Residential (1:1) to Residential (2:1)

LEGAL DESCRIPTION:

A parcel of land lying in the Southeast quarter of the Southeast quarter of Section 4, Township 1 North, Range 9 West, Calhoun County, Florida being described as follows: Commence at the Southeast corner of Section 4, Township 1 North, Range 9 West, Calhoun County, and run thence North 00 degrees 14 minutes 44 seconds West along the Easterly boundary of said Section 4, a distance of 18.44 feet to the Northerly right of way boundary of Ashley Siver Road (50 feet right of way) and the POINT OF BEGINNING. From said POINT OF BEGINNING thence continue North 00 degrees 14 minutes 44 seconds West, a distance of 198.56 feet to the aforesaid Northerly right of way boundary thence North 88 degrees 00 minutes 43 minutes East along said Northly right of way boundary, a distance of 198.40 feet to the Point of BEGINNING. Containing 0.90 acre, more or less.

Exhibit "B": Calhoun County Land Use Map (FLUM)

**FLUM Amendment of ± 0.922 acres at 15454 NW Ashley Shiver Rd Altha Fl (Parcel ID, Number: 04-1N-09-0000-0010-0101)
from Mixed Use Rural Residential (1:1) to Residential (2:1)**

