

ORDINANCE NO. 2024-03

AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS OF CALHOUN COUNTY, FLORIDA, APPROVING THE APPLICATION OF TYLER FATTORI, 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 AGRICULTURAL (1:10) TO AGRICULTURAL (1:1) FOR ±4.45 ACRES OF LAND AT 5337 NW CR 274 ALTHA FL 32421 (PARCEL ID. NUMBER: 36-2N-11-0930-000B-0300); 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 19, 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 19th day of March 2024.

Board of County Commissioners
of Calhoun County, Florida

ATTEST:

BY: Daryl O'Bryan
Daryl O'Bryan, Chairman

Carla A Hand
Carla Hand, Clerk

Exhibit "A": Legal Description

FLUM Amendment of ±4.45 acres at 5337 NW CR 274 ALTHA FL 32421 (PARCEL ID. NUMBER: 36-2N-11-0930-000B-0300) FROM AGRICULTURAL (1:10) TO AGRICULTURAL (1:1) (T Fattori)

LEGAL DESCRIPTION:

Parcel 3-B, White Water Farms, according to the plat thereof as recorded in Plat Book 2, Page 78, of the Public Records of Calhoun County, Florida, and being more particularly described as follows: Part of the Southwest 1/4 of the Northwest 1/4 of Section 36, Township 2 North, Range 11 West, Calhoun County, Florida, described as follows: For the Point of Beginning, begin at a point South 88°57'33" West along the South line of said SW 1/4 of the NE 1/4, a distance of 300.0 feet from a concrete monument marking the Southeast corner of the SW 1/4 of NW 1/4 of Section 36, thence continuing South 88°57'33" West 150.0 feet; thence North 02°45'01" West, 1292.38 feet, to the Southerly right of way of State Road No. 274, thence North 88°55'03" East along said right of way, 150.00 feet, thence South 02°45'02" East, 1292.49 feet, to the Point of Beginning.

Parcel Identification Number: 36-2N-11-0930-000B-0300

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

FLUM Amendment of ±4.45 acres at 5337 NW CR 274 ALTHA FL 32421 (PARCEL ID. NUMBER: 36-2N-11-0930-000B-0300) FROM AGRICULTURAL (1:10) TO AGRICULTURAL (1:1) (T Fattori)

