

ORDINANCE NO. 2014-01

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HOLMES COUNTY, FLORIDA, AMENDING THE LAND USE DESIGNATION OF CERTAIN REAL PROPERTY LOCATED WITHIN HOLMES COUNTY, FLORIDA, IN COMPLIANCE WITH HOLMES COUNTY'S CURRENT COMPREHENSIVE PLAN AND LAND USE DESIGNATIONS, AND PURSUANT TO CHAPTER 163 FLORIDA STATUTES, AND MORE SPECIFICALLY DESCRIBED AS 1.2 ACRES IN SECTION 32, TOWNSHIP 05 NORTH, RANGE 17 WEST, PARCEL ID 1732.00-000-000-015.000 FROM AN AGRICULTURAL TO COMMERCIAL DESIGNATION; PROVIDING FOR A COPY ON FILE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Chapter 163 Florida Statutes empowers the County Commission of Holmes County, Florida, to prepare, amend and enforce a comprehensive plan for the development of the County; and

**WHEREAS**, the Holmes County Local Planning Agency ("LPA") for the County has reviewed the proposed Comprehensive Plan Amendment after due public notice and heard public input thereon, and considered the findings and advice of all interested parties; and

**WHEREAS**, the Board of County Commissioners of Holmes County held a public hearing on April 8, 2014, to consider the Comprehensive Plan Amendment pursuant to Florida Statute 163.3184, with due public notice having been provided, and having reviewed and considered all comments received during the public hearing, and having provided for necessary revisions (if any); and

**WHEREAS**, in exercise of its authority, the Board of County Commissioners of Holmes County, Florida finds it necessary and desirable to adopt and does hereby adopt this 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 Holmes County, Florida.

**NOW THEREFORE**, be it ordained by the Board of County Commissioners of Holmes County, Florida as follows:

**Section 1. Purpose and Intent.**

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority as set out in, the Local Government Comprehensive

Planning Act, Section 163.3161 through 163.3215, Florida Statutes, and Chapter 9J-5, Florida Administrative Code.

**Section 2. Comprehensive Plan Amendment Adopted.**

This Ordinance shall approve and adopt the proposed Small Scale Amendment SSA-01-2013 relating to a Land Use Change from Agricultural to Commercial in Holmes County, Florida, the location being more specifically described as 2292 North Highway 81, Westville, Florida 32464 for a 1.02 acre parcel in Section 32, Township 05 North, Range 17, West, PARCEL ID: 1732.00-000-000-015.000. The Advertisement associated with this land use change is attached hereto as Exhibit "A".

**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 of the Ordinance shall remain in full force and effect.

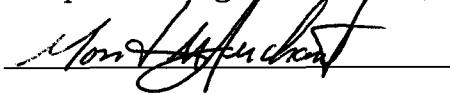
**Section 4. Copy on File.**

An official, true and correct copy of the Holmes County Comprehensive Plan Amendment adopted herein shall be maintained by the Board of County Commissioners of Holmes County.

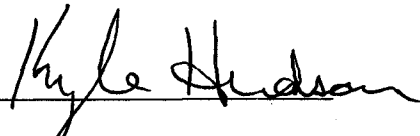
**Section 5. Effective Date.**

In accord with F.S. 163.3187(c), and assuming the Comprehensive Plan Amendment is not challenged, this Amendment shall become effective 31 days after the date of adoption by the Holmes County Board of County Commissioners. If this Comprehensive Plan Amendment is challenged within 30 days of the adoption date, this Amendment shall not become effective until there is a Final Order issued from the proper administrative body determining that the Comprehensive Plan Amendment is in compliance.

Adopted in regular session, this 8<sup>th</sup> day of April, 2014.



Monty Merchant, Chairman, HCBCC

Attest: 

Kyle Hudson, Clerk of Court, Holmes County, Florida