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ORDINANCE NO. 2007-19

AN ORDINANCE OF HOLMES COUNTY, FLORIDA, AMENDING VOLUME III OF THE HOLMES COUNTY YEAR 2010 COMPREHENSIVE PLAN FUTURE LAND USE MAP SERIES, AS AMENDED; AMENDING CHAPTER 2, "FUTURE LAND USE ELEMENT," PROVIDING FOR AN AMENDMENT TO THE YEAR 2010 FUTURE LAND USE MAP, AS AMENDED, CHANGING THE FUTURE LAND USE CATEGORY OF ONE PORTION OF A PARCEL LOCATED OFF HIGHWAY 90 FROM AGRICULTURAL TO LOW DENSITY RESIDENTIAL TOTALING 9.96 (+/-) ACRES IN SECTION 36, TOWNSHIP 3N, RANGE 18W, PARENT PARCEL NUMBER 2236.00-000-000-001.000; PROVIDING FOR A TITLE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, Holmes County adopted its Comprehensive Plan on August 16, 2000; and

WHEREAS, Chapter 125, Florida Statutes, empowers the Board of County Commissioners of Holmes County, Florida to prepare, amend, and enforce comprehensive plans for the development of the County; and

WHEREAS, the Holmes County Planning Commission (LPA) conducted a public hearing and forwarded a recommendation to the Board of County Commissioners, who have conducted a public hearing, reviewed, and approved the changes to the Plan and authorized the transmittal of the proposed changes to the Florida Department of Community Affairs (DCA) for adoption; and

WHEREAS, the Board of County Commissioners, Holmes County, Florida finds that the adoption of these amendments is in the best interest of the County and its citizens;

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 set out in, the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 9J-5, Florida Administrative Code.

Section 2. Title of Comprehensive Plan Amendment

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1 This Small Scale Comprehensive Plan Amendment for Holmes County, Florida shall be
2 entitled – “Small Scale Amendment 2007-03.”
3

4 **Section 3. Changes to the Holmes County Generalized Future Land Use Map**

5

6 The Holmes County Year 2010 Comprehensive Plan Future Land Use Map Document,
7 as amended; amending Chapter 2, ‘Future Land Use Element”, Section 2.18; and all
8 notations, references, and information shown thereon, is further amended to include
9 the following future land use change depicted on the map and attached hereto as
10 Exhibit “A”:
11

12 A portion of a parcel located on Highway 90 from Agricultural,
13 (Ag) to Low Density Residential, (LDR) totaling 9.96 (+/-) acres
14 and recorded as Section 36, Township 3N, Range 18W, parent
15 parcel number 2236.00-000-000-001.000. More particularly
16 described as follows:
17

18 COMMENCE AT THE NORTHEAST CORNER OF SECTION 36 AND THENCE
19 NORTH 87 DEGREES 54 MINUTES 24 SECONDS WEST, ALONG THE NORTH LINE
20 OF SAID SECTION 36, A DISTANCE OF 1433.06 FEET TO THE SOUTHERLY
21 RIGHT-OF-WAY LINE OF U.S. HIGHWAY 90; THENCE SOUTH 73 DEGREES 15
22 MINUTES 06 SECONDS WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE
23 OF U.S. HIGHWAY 90, A DISTANCE OF 748.63 FEET TO THE POINT OF
24 CURVATURE; THENCE WESTERLY THROUGH A CURVE TURNING TO THE RIGHT
25 WITH A RADIUS OF 3887.83 FEET, HAVING A CENTRAL ANGLE OF 07 DEGREES
26 49 MINUTES 41 SECONDS AND AN ARC LENGTH OF 531.18 (CHORD BEARING:
27 SOUTH 77 DEGREES 09 MINUTES 56 SECONDS WEST, CHORD DISTANCE:
28 530.77 FEET) THENCE SOUTH 01 DEGREES 06 MINUTES 09 SECONDS WEST A
29 DISTANCE OF 598.53 FEET TO THE POINT OF BEGINNING: THENCE NORTH 61
30 DEGREES 38 MINUTES 48 SECONDS EAST A DISTANCE OF 580.33 FEET;
31 THENCE SOUTH 42 DEGREES 07 MINUTES 27 SECONDS EAST A DISTANCE OF
32 590.98 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF CSX RAILROAD;
33 THENCE SOUTH 49 DEGREES 31 MINUTES 53 SECONDS WEST, ALONG SAID
34 NORTHERLY RIGHT-OF-WAY LINE OF CSX RAILROAD A DISTANCE OF 538.16
35 FEET; THENCE NORTH 66 DEGREES 54 MINUTES 58 SECONDS WEST A
36 DISTANCE OF 547.23 FEET; THENCE NORTH 01 DEGREES 06 MINUTES 09
37 SECONDS EAST A DISTANCE OF 297.51 FEET TO THE POINT OF BEGINNING.
38 CONTAINING 9.96 ACRES MORE OR LESS.
39

40 **Section 4. Severability**

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42 If any section, sentence, clause, or phrase of this Ordinance is declared to be invalid or
43 unconstitutional by any Court of competent jurisdiction, then said holding shall in no way
44 affect the validity of the remaining portions of this Ordinance.

SSA 2007-02 Waites Crossing West (BCC 12-18-07)
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1 **Section 5. Inclusion in the Code**

2
3 It is the intention of the Board of County Commissioners that the provisions of this
4 Ordinance shall be codified as required by Section 125.68, Florida Statutes (2007); and
5 that the sections, subsections, and other provisions of this Ordinance may be re-
6 numbered or re-lettered and the word "ordinance" may be changed to "section," "article,"
7 or such other appropriate word or phrase in order to accomplish such intentions.
8

9 **Section 6. Copy on File**

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11 A certified copy of the enacting ordinance, as well as certified copies of the Holmes
12 County Comprehensive Plan and Future Land Use Map as amended shall be filed with
13 the Clerk of the Circuit Court of Holmes County, Florida, and copies shall be made
14 available to the public for a reasonable publication charge.
15

16 **Section 7. Effective Date**

17
18 The effective date of this plan amendment shall be the date a final order is issued by the
19 DCA or Administration Commission finding the amendment in compliance in
20 accordance with Section 163.3184(1)(b), Florida Statutes (2007), whichever is
21 applicable.
22

23 **DONE AND ENACTED** this ____ day of _____, 2008.

24
25 BOARD OF COUNTY COMMISSIONERS
26 OF HOLMES COUNTY, FLORIDA

27
28 By: _____
29 Raymon Thomas, Chairman

30
31 ATTEST: CODY TAYLOR
32 CLERK OF THE COURT

33
34
35 By: _____
36 Deputy Clerk

37
38 (SEAL)
39
40