

ORDINANCE 2023-06

AN ORDINANCE OF THE CITY OF BELLEVUE, FLORIDA RELATING TO AN AMENDMENT OF 4.18 +/- ACRES OF LAND TO THE CITY OF BELLEVUE COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP OF THE CITY OF BELLEVUE COMPREHENSIVE PLAN AND THE OFFICIAL ZONING DISTRICTS MAP PURSUANT TO APPLICATION (SSC22-0002) BY THE CITY OF BELLEVUE FOR GERALD AND SHARON GRAVANTE , UNDER THE SMALL SCALE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3215, FLORIDA STATUTES; CHANGING THE FUTURE LAND USE CLASSIFICATIONS ON PARCELS #38527-000-00 AND 38527-000-01, FROM MEDIUM RESIDENTIAL (MARION COUNTY DESIGNATION) TO MEDIUM DENTISY RESIDENTIAL (CITY OF BELLEVUE DESIGNATION) AND BY CHANGING THE ZONING CLASSIFICATION OF PARCEL 38527-000-00 FROM A-1 (MARION COUNTY DESIGNATION) TO AG (CITY OF BELLEVUE DESIGNATION); AND BY CHANGING THE ZONING CLASSIFICATION OF PARCEL 38527-000-01 FROM A-1 (MARION COUNTY) TO R-3 (CITY OF BELLEVUE); ON CERTAIN LANDS WITHIN THE CORPORATE LIMITS OF THE CITY OF BELLEVUE, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 166.021, Florida Statutes, empowers the City Commission of the City of Bellevue, Florida, hereinafter referred to as the City Commission, to prepare, adopt and implement and amend a Comprehensive Plan; and

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act, empowers and requires the City Commission to prepare, adopt and implement and amend a Comprehensive Plan; and

WHEREAS, application, SSC22-0002, City of Bellevue for amendment, as described below, to the Future Land Use Map of the City of Bellevue Comprehensive Plan, hereinafter referred to as the City's Comprehensive Plan; and application LS22-0002, City of Bellevue for amendment to the City of Bellevue Official Zoning Districts Map have been filed with the City; and

WHEREAS, the Planning and Zoning Board of the City of Bellevue has been designated as the Local Planning Agency; and

WHEREAS, the Planning and Zoning Board of the City of Belleview serving as the Local Planning Agency did on April 11, 2023 hold the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the Future Land Use Map of the City's Comprehensive Plan and the Official Zoning Districts Map at said public hearing, the Planning and Zoning Board, serving also as the Local Planning Agency, reviewed and considered all comments received during said public hearing and reviewed and considered the staff Comprehensive Plan Amendment Report concerning said application for an amendment, as described below, to the Future Land Use Map of the City's Comprehensive Plan and the Official Zoning Districts Map recommended to the City Commission approval of said application for amendments, as described below; and

WHEREAS, the City Commission did on May 2, 2023 hold the required public hearing for first reading of the ordinance, with public notice having been provided, under the provisions of the regular amendment procedures established in Sections 163.3161 through 163.3215, Florida Statutes, on said applications for amendments, as described below, to the Future Land Use Map of the City's Comprehensive Plan and the Official Zoning Districts Map at said public hearing, the City Commission reviewed and considered all comments received during the public hearing, including the recommendation of the Planning and Zoning Board, serving also as the Local Planning Agency, and the staff Comprehensive Plan Amendment Report, as described below, to the Future Land Use Map of the City's Comprehensive Plan and the Official Zoning Districts Map; and

WHEREAS, the City Commission has determined and found said application for amendments, as described below, to the Future Land Use Map of the City's Comprehensive Plan and Zoning Districts Map to be compatible with the Future Land Use Element objectives and policies, and with those of other affected elements of the City's Comprehensive Plan; and

WHEREAS, the City Commission has determined that the proposed amendment is in compliance with the City's Comprehensive Plan and is the closest to the County's designation at the time of annexation; and

WHEREAS, the City Commission has determined and found that approval of said application for amendments, as described below, to the Future Land Use Map of the City's Comprehensive Plan and the Official Zoning Districts Map would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general public welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BELLEVIEW, FLORIDA, AS FOLLOWS:

Section 1. Future Land Use and Zoning Designations: Pursuant to applications SSC22-0002 and LS22-0002:

Table 1: Proposed Amendment

Parcel ID# Property Owner	Acreage	EXISTING (Marion County)		PROPOSED (City of Belleview)	
		Future Land Use (Map 1)	Zoning (Map 2)	Future Land Use (Map 1)	Zoning (Map 2)
38527-000-00 Gerald & Sharon Gravante	3.0+/- acres	Medium Density	A-1	Medium Density Residential	AG
38527-000-01 Max & Ashlie Scott	1.8+/-	Medium Density	A-1	Medium Density Residential	R-3

Section 2. Legal Descriptions:

The properties subject to the proposed amendment to the City's Comprehensive Plan and amendments to the City of Belleview Official Zoning Districts Map are the following described parcels of land located in the City of Belleview, Marion County , Florida, to wit:

Parcels of land owned by Gerald J. Gravante and his wife, Sharon E. Gravante and Max Scott and his wife Ashlie Scott, more particularly described as:

Tract A

Commence at the SW corner of Lot 1, Block 90, TOWN OF BELLEVIEW, according to the plat thereof recorded in Plat Book A, Pages 15A and 15B, Public Records of Marion County, Florida; then N.11°54'39"W., along the West line of said Block 90 and the Easterly right-of-way line of S.E. 53rd Terrace Road, a distance of 706.55 feet to a point on a line lying 604.04 feet South of and being measured at right angles to the North boundary of Lot 4, of said Block 90 and the Point of Beginning; the S.89°44'04"E. along said line, a distance of 290.86 feet; then N.11°56'57"W., a distance of 277.35 feet; then N.89°24'27"W., a distance of 290.87 feet to a point on the Easterly right-of-way of said S.E. 53rd Terrace Road; then S.11°56'52"E., along said Easterly right-of-way line, a distance of 277.40 feet to the Point of Beginning.

Tract B

Commence at the SE corner of Lot 1, Block 90, TOWN OF BELLEVIEW, according to the plat thereof recorded in Plat Book A, Pages 15A and 15B, Public Records of Marion County, Florida; then N.11°54'39"W., along the West line of said Block 90 and the Easterly right-of-way line of S.E. 53rd Terrace Road, a distance of 706.55 feet to a point on a line lying 604.04 feet South of and being measured at right angle to the North boundary of Lot 4, of said Block 90; then S.89°44'04"E. along said line, a distance of 290.86 feet to the Point of Beginning; then continue S.89°44'04"E. along said line, a distance of 521.55 feet to a point on the Westerly right-of-way line of S.E. 55th Avenue Road; then N.26°43'54"W., along said Westerly right-of-way line, a distance of 304.13 feet; then N.89°43'27"W., a distance of 733.04 feet; then S.11°56'57"E., a distance of

277.35 feet to the Point of Beginning.

Also known as Marion County Tax Parcels No. 38527-000-01 and 38527-000-00

Said parcels of land also being depicted on the map attached hereto as Exhibit A.

Section 3: Maps. The maps attached hereto as Map 1 and Map 2 depict the existing and adopted future land use designation (map 1); and the existing and adopted zoning (map 2).

Section 4. 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 provisions and portions of this Ordinance shall remain in full force and effect.

Section 5. Conflicts Repealed. All ordinances or parts of ordinances in conflict with this Ordinance shall be repealed to the extent of such conflict. If any portion of this Ordinance is found to be invalid, then only that portion of this Ordinance shall be stricken.

Section 6. Effective Date. The effective date of this Ordinance will be 31 days following No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

CERTIFICATE OF ADOPTION AND APPROVAL

The above and foregoing ordinance was duly read and approved upon First Reading by a _____ vote of the City Commission of the City of Belleview, Florida, at a Regular Meeting held on 05/02/2023. Said ordinance was duly read, passed, and adopted upon Final Reading by a _____ vote of the City Commission of the City of Belleview, Florida at a Regular Meeting held on 06/06/2023.

For the City:

CHRISTINE K. DOBKOWSKI
Mayor/Commissioner

Attest:

Mariah Moody
City Clerk

Approved as to Form and Legal Sufficiency
For the use and Benefit of the City of Belleview Only:

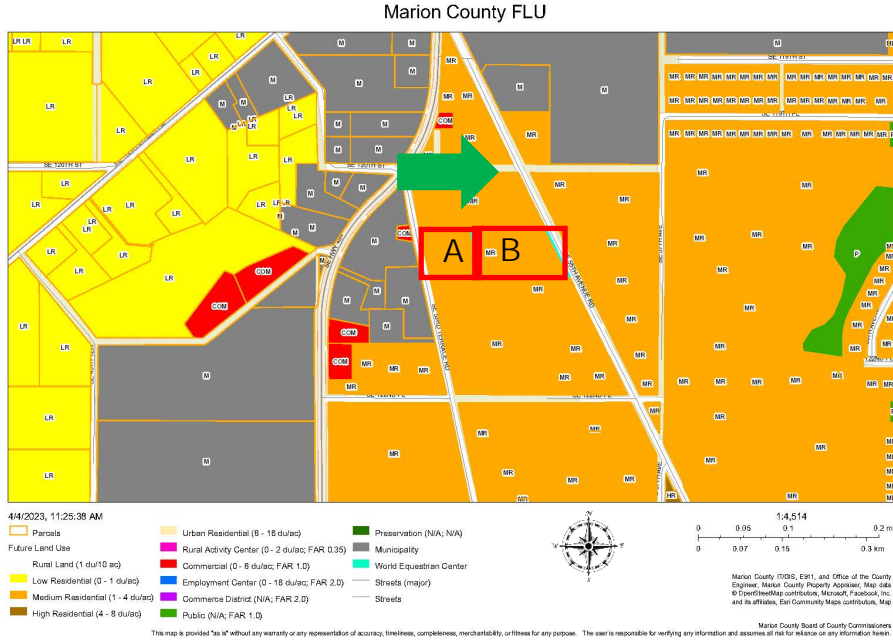
FREDERICK E. LANDT, III
City Attorney

CERTIFICATE OF ADVERTISING

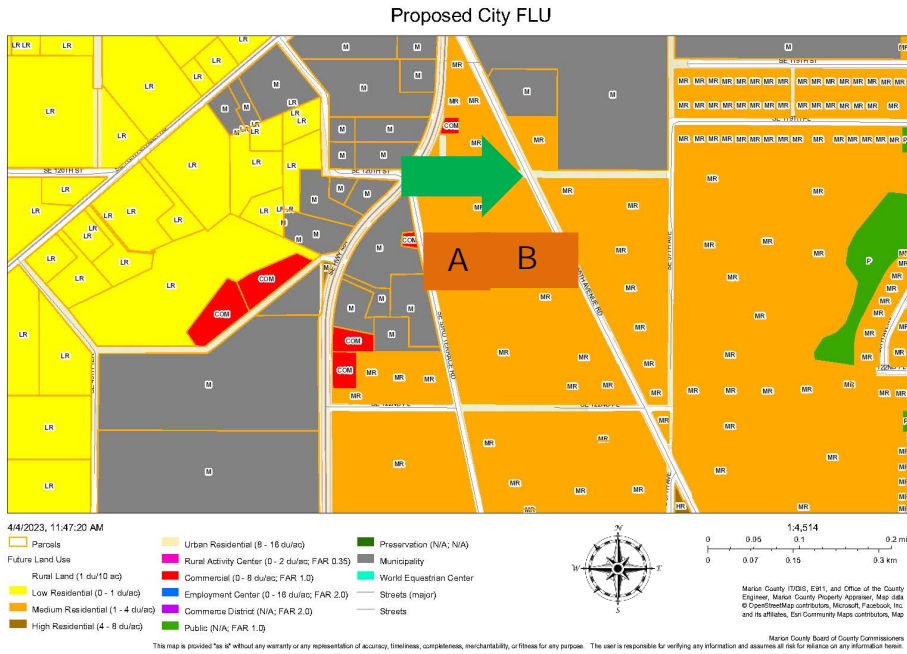
I HEREBY CERTIFY that foregoing Ordinance was advertised for a Public Hearing in the _____ edition of the Voice of South Marion in accordance with Florida Statutes.

Mariah Moody
City Clerk

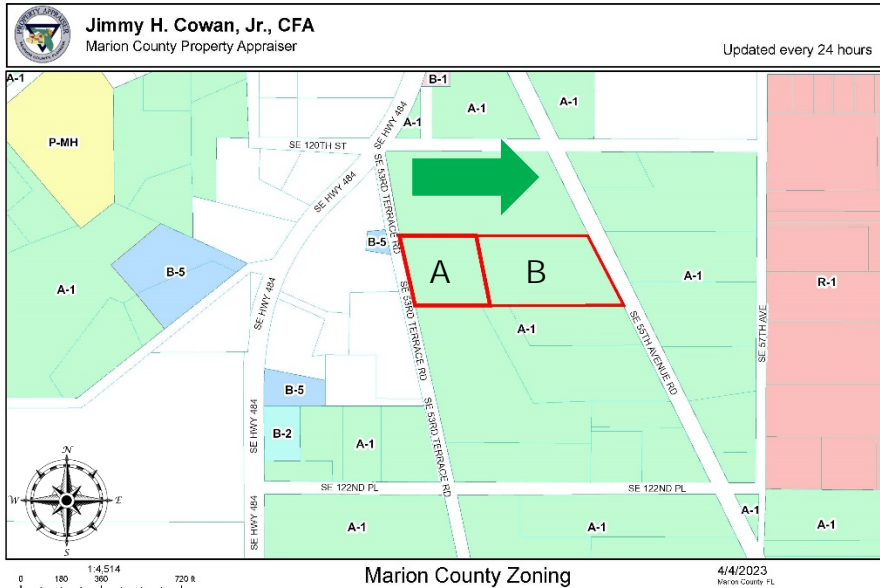
Map 1 - Future Land Use EXISTING FUTURE LAND USE



PROPOSED FUTURE LAND USE

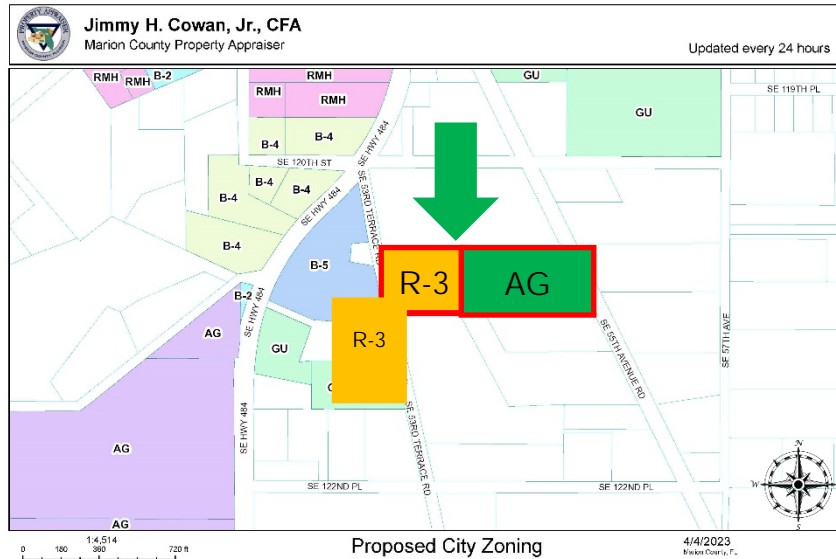


Map 2- Zoning EXISTING ZONING



DISCLAIMER: This is a work in progress. This application was compiled by the Marion County Property Appraiser's Office solely for the governmental purpose of property assessment. These are NOT surveys. Our goal is to provide the most accurate data available, however, no warranties, expressed or implied are provided with this data, its use, or interpretation. All information subject to change without notice. Use at your own risk.

PROPOSED ZONING



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