

ORDINANCE 2024-10

AN ORDINANCE OF THE CITY OF BELLEVIEW, FLORIDA RELATING TO AN AMENDMENT OF 23.78 +/- ACRES OF LAND TO THE CITY OF BELLEVIEW COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP OF THE CITY OF BELLEVIEW COMPREHENSIVE PLAN AND THE OFFICIAL ZONING DISTRICTS MAP PURSUANT TO APPLICATION (SSC24-0001) BY THE CITY OF BELLEVIEW FOR SOUL'S HARBOR FIRST PENTECOSTAL CHURCH, INC UNDER THE SMALL SCALE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3215, FLORIDA STATUTES; CHANGING THE FUTURE LAND USE CLASSIFICATION ON PARCEL #38510-005-00 AND 38510-005-03, FROM COMMERCIAL (MARION COUNTY) TO COMMERCIAL (CITY OF BELLEVIEW) AND BY CHANGING THE ZONING CLASSIFICATION FROM B-4 (MARION COUNTY) TO B-2 (CITY OF BELLEVIEW); ON CERTAIN LANDS WITHIN THE CORPORATE LIMITS OF THE CITY OF BELLEVIEW, 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, SSC24-0001, 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 JSSC24-0001, 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 Bellevue serving as the Local Planning Agency did on August 13, 2024 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 September 17, 2024 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 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 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 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 SSC23-0002 and LS24-0001:

Table 1: Proposed Amendment

		EXISTING (Marion County)		PROPOSED (City of Bellevue)	
Parcel ID# Property Owner	Acreage	Future Land Use (Map 1)	Zoning (Map 2)	Future Land Use (Map 1)	Zoning (Map 2)
38510-005-00					
38510-005-03					
Soul's Harbor First Pentecostal Church, Inc.	23.78+/- acres	Commercial	B-4	Commercial	B-2

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 parcel of land located in the City of Belleview, Marion County, Florida, to wit:

Parcel of land owned by Soul's Harbor First Pentecostal Church, Inc, more particularly described as:

Parcel 1:

Lots 2, 5, 6, and 7, Block 81, Town of Belleview, as per plat thereof recorded in Plat Book thereof, recorded in Plat Book A, page 15, 15A, and 15B, Public Records of Marion County, Florida.

Also known as Marion County Tax Parcel No. 38510-005-00

Parcel 2:

Lot 3, Block 81, Town of Belleview, according to the map or plat thereof as recorded in Plat Book A, Pages 15, 15A and 15B, Public Records of Marion County, Florida.

Less and Except

The South 170 feet of Lot 3, Block 81, Town of Belleview, according to the map or plat thereof as recorded in Plat Book A, Pages 15, 15A and 15B, Public Records of Marion County, Florida.

Also known as Marion County Tax Parcel No. 38510-005-03

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 09/17/2024. 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 10/15/2024.

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

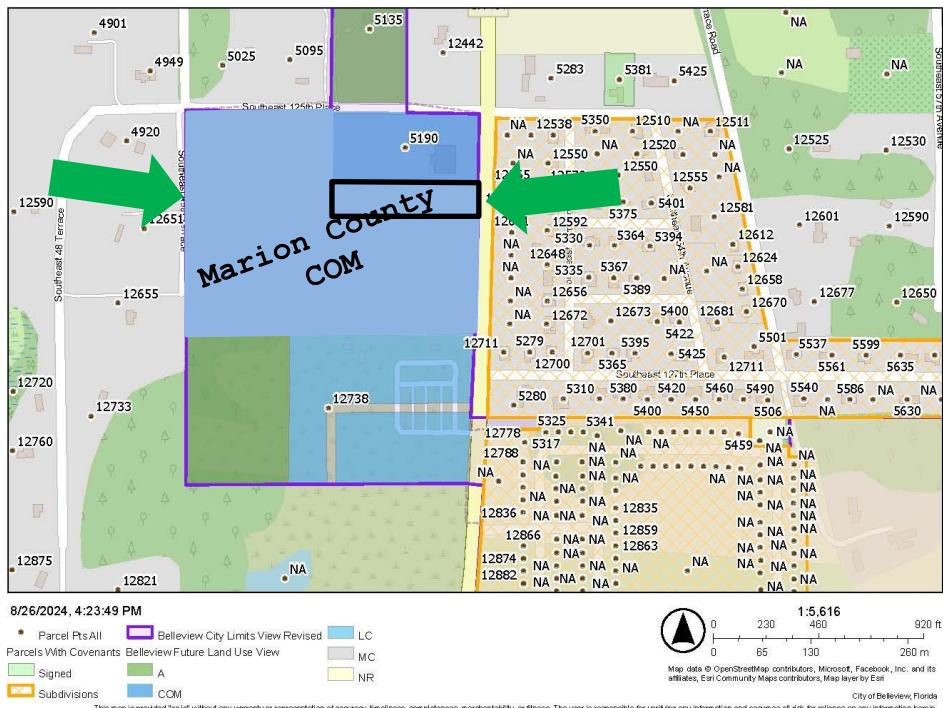
I HEREBY CERTIFY that foregoing Ordinance was advertised for a Public Hearing in the _____ edition of the Voice of South Marion in accordance with Florida Statutes.

Mariah Moody
City Clerk

Map 1 - Future Land Use

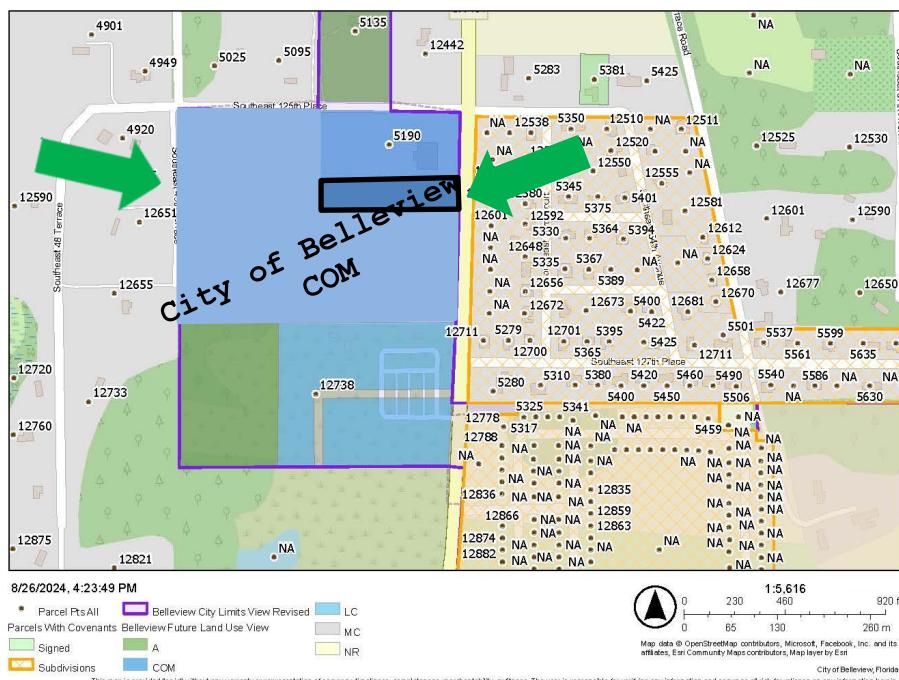
EXISTING FUTURE LAND USE

Bellevue Development Services Data

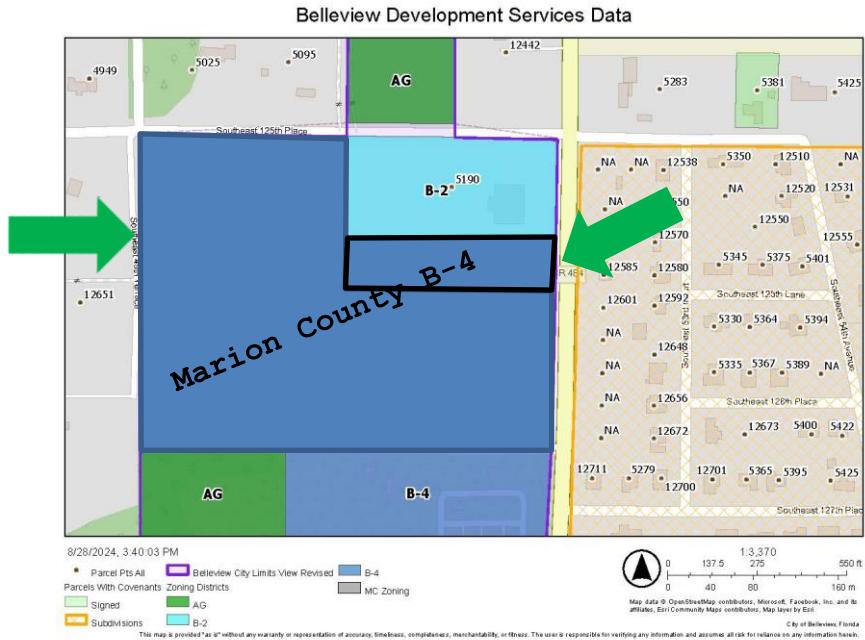


PROPOSED FUTURE LAND USE

Bellevue Development Services Data



Map 2- Zoning EXISTING ZONING



PROPOSED ZONING

