

ORDINANCE 98-3

AN ORDINANCE ADOPTING A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT OF 9.00 ACRES (MOL) TO THE CITY OF DUNNELLO, FLORIDA COMPREHENSIVE PLAN PURSUANT TO SECTION 163.3187, FLORIDA STATUTES AND RULE 9J-11.015, FLORIDA ADMINISTRATIVE CODE BY CHANGING THE LAND USE MAP OF THE COMPREHENSIVE PLAN WHICH SHALL CHANGE THE LAND USE OF CERTAIN LANDS WITHIN THE CORPORATE LIMITS OF THE CITY OF DUNNELLO, FROM RECREATION AND CONSERVATION TO COMMERCIAL TOURIST ORIENTED; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida adopted the Local Government Comprehensive Planning and Land Development Regulation Act of 1985, as contained in Section 163.3161 through and including Section 163.3243, Florida Statutes, which requires the City of Dunnellon, Florida to prepare and adopt a Comprehensive Plan in accordance with the requirements of the said act; and

WHEREAS, the City of Dunnellon has prepared a Comprehensive Plan which meets the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act of 1985; and

WHEREAS, the City of Dunnellon, on October 14, 1991, adopted a Comprehensive Plan; and

WHEREAS, the Local Government Comprehensive Planning and Land Development Regulation Act of 1985 provides for the amendment of an adopted plan or element or portion thereof; and

WHEREAS, the City of Dunnellon desires to amend the Future Land Use Map of the Comprehensive Plan through a Small Scale Comprehensive Plan Amendment by changing the Land Use of the property described below from RECREATION and CONSERVATION to COMMERCIAL TOURIST ORIENTED.

NOW, THEREFORE, be it ordained by the City Council of the City of Dunnellon, Florida that:

Section 1: The Land Use Designation of the property described below is hereby changed from RECREATION and CONSERVATION to COMMERCIAL TOURIST ORIENTED and sheet seven of the Future Land Use Map is hereby amended to reflect that change.

A parcel of land lying within Section 35, Township 16 South, Range 18 East, Marion County, Florida. Being more particularly described as follows: Begin at a Tennessee Valley Authority concrete monument at the Northeast corner of the Southeast 1/4 of the Southeast 1/4 of said Section 35 for the Point of Beginning; thence run South 00°06'10" East along the east line of said Southeast 1/4 a distance of 315.02 feet to a capped iron rod on the U.S. Army Corps of Engineers Jurisdiction line; thence run along said jurisdiction line North 78°39'02" West 82.68 feet; thence run North 58°32'42" West 61.79 feet; thence run North 86°46'24" West 58.20 feet; thence run North 59°11'58" West 82.68 feet, thence run North 66°53'58" West 39.28 feet; thence run North 41°54'05" West 155.58 feet; thence run North 63°37'02" East 93.73 feet; thence run North 85°49'04" East 24.84 feet; thence run North 49°33'05" East 18.45 feet; thence run North 30°34'04" West 35.87 feet; thence run North 85°12'55" West 46.08 feet; thence run South 87°12'44" West 71.73 feet; thence run North 83°20'10" West 76.84 feet; thence run North 77°40'11" West 55.82 feet; thence run South 83°22'15" West 48.95 feet; thence run North 78°28'00" West 12.83 feet; thence run North 74°41'01" East 45.84 feet; thence run South 87°39'09" East 53.56 feet; thence run North 83°55'07" East 240.53 feet; thence run North 14°35'30" East 77.77 feet; thence run North 32°28'22" East 24.71 feet; thence run North 41°47'32" East 65.81 feet; thence run North 32°06'24" East 56.32 feet; thence run North 65°11'57" West 72.29 feet; thence run North 62°33'28" West 76.37 feet; thence run North 60.38'04" West 107.00 feet; thence run North 40°04'09" West 80.96 feet; thence run North 06°55'07" West 121.59 feet; thence run North 29°51'11" West 88.01 feet; thence run North 08°16'23" West 31.04 feet; thence run North 35°33'25" East 42.30 feet; thence run North 28°33'49" East 50.28 feet; thence run North 31°44'45" East 57.51 feet; thence run North 36°24'32" East 34.80 feet; thence departing said jurisdictional line run South 89°56'55" East 405.14 feet to a point on said East line of Southeast 1/4; thence run South 00°06' .0" East along said East line of the Southeast 1/4 806.66 feet to the Point of Beginning.

Containing 9.00 acres, more or less.

Section 2: Severability. If any portion of this Ordinance shall be declared unconstitutional or if the applicability of this Ordinance, or any portion thereof, to any person or circumstance shall be held invalid, the validity of the remainder of this Ordinance and the applicability of this Ordinance, or any portion thereof, to other persons or circumstances, shall not be affected thereby. It is the specific intent of the City Council of the City of Dunnellon that the severability as set forth above shall apply to this ordinance.

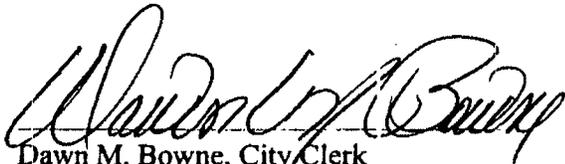
Section 3: Repeal of Inconsistent Ordinances. Any Ordinance in conflict with this Ordinance is hereby repealed.

Section 4: Effective Date. The effective date of the amendment shall be thirty-one (31) days after the date of adoption on second and final reading by the City Council, unless the amendment is challenged pursuant to Section 163.3187, Florida Statutes. If challenged, the effective date shall be the date a Final Order is issued by the Department of Community Affairs or the Administration Commission finding that the amendment is in compliance with Section 163.3184, Florida Statutes.

Upon motion duly made and carried, the foregoing Ordinance was approved upon the first reading on the 24th day of August, 1998.

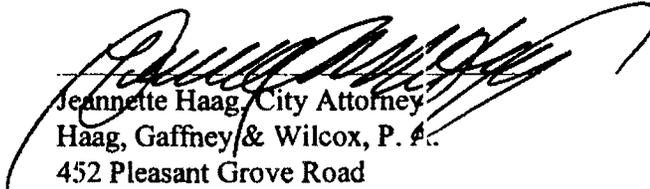
Upon motion duly made and carried, the foregoing Ordinance was approved and passed upon the second and final reading on the 28th day of September, 1998.

Attest:


Dawn M. Bowne, City Clerk


Larry Winkler, Mayor

Approved as to Form and Correctness:


Jeannette Haag, City Attorney
Haag, Gaffney & Wilcox, P. A.
452 Pleasant Grove Road
Inverness, Florida 34452
(352) 726-0901