



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

February 21, 2023

Todd Newton, Clerk  
Gilchrist County  
Post Office Box 37  
Trenton, FL 32693

Attn: Kieran Bryan

Dear Todd Newton,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Gilchrist County Ordinance No. 2023-02, which was filed in this office on February 21, 2023.

Sincerely,

Anya Owens  
Program Administrator

ACO/rra

**GILCHRIST COUNTY, FLORIDA**

**ORDINANCE NO. 2023-02**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA, CREATING A SPECIAL ASSESSMENT DISTRICT FOR RECLAMATION AND RESURFACING OF NE 58TH LANE, NE 51ST TERRACE, NE 56TH STREET, NE 54TH PLACE, NE 52ND PLACE, NE 58TH TERRACE, NE 56TH AVENUE, NE 53RD TERRACE, NE 51ST AVENUE, NE 50TH COURT, NE 54TH TERRACE, AND NE 57TH COURT LOCATED WITHIN THE SPRING RIDGE SUBDIVISION; IN UNINCORPORATED GILCHRIST COUNTY; PROVIDING DEFINITIONS; IMPOSING A SPECIAL ASSESSMENT ON CERTAIN PARCELS WITHIN THE DISTRICT; PROVIDING FOR USE OF REVENUES; PROVIDING FOR HARDSHIP WAIVERS; PROVIDING INSTRUCTIONS TO THE CODIFER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Gilchrist County is responsible for the health, safety and welfare of the citizens of Gilchrist County; and

**WHEREAS**, under the authority of Article III, Chapter 70, Gilchrist County Code, and the home rule authority granted by Article VIII, Section 1 of the Florida Constitution, and Section 125.01, Florida Statutes, the Board of County Commissioners of Gilchrist County, Florida, has the authority to create special assessment districts covering portions of the unincorporated area of Gilchrist County for the purpose of funding improvements within such districts; and

**WHEREAS**, pursuant to the foregoing the Board of County Commissioners of Gilchrist County has the authority to create a Special Assessment District to fund road improvements for NE 58th Lane, NE 51st Terrace, NE 56th Street, NE 54th Place, NE 52nd Place, NE 58th Terrace, NE 56th Avenue, NE 53rd Terrace, NE 51st Avenue, NE 50th Court, NE 54th Terrace, and NE 57th Court located within the Spring Ridge Subdivision, within unincorporated Gilchrist County; and

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF GILCHRIST COUNTY, FLORIDA:**

**Section 1. Creation of Special Assessment District.** A new Article VIII is hereby added to Chapter 70, Special Assessments, of the Code of Ordinances of Gilchrist County, Florida, to read as follows:

**ARTICLE VIII. SPRING RIDGE SUBDIVISION SPECIAL ASSESSMENT DISTRICT**



CERTIFIED: TRUE COPY  
TODD NEWTON, CLERK

BY: *Ki Lm*  
Deputy Clerk

Dated: 2/21/2023

**Sec. 70-116. Authority and purpose.**

(a) This article is enacted under the authority of Article III, Chapter 70, Gilchrist County Code, and the home rule authority granted by Article VIII, Section 1 of the Florida Constitution, and Section 125.01, Florida Statutes.

(b) The purpose of this article is to create a Special Assessment District to impose special assessments to fund road improvements for NE 58th Lane, NE 51st Terrace, NE 56th Street, NE 54th Place, NE 52nd Place, NE 58th Terrace, NE 56th Avenue, NE 53rd Terrace, NE 51st Avenue, NE 50th Court, NE 54th Terrace, and NE 57th Court located within the Spring Ridge Subdivision, within unincorporated Gilchrist County. This article shall be liberally construed to effect the purposes hereof.

**Sec. 70-117. Definitions.**

*Parcel* means:

- (1) Any single vacant lot or developable portion of a lot.
- (2) Any single lot or portion of a lot on which a primary residential structure has been built.
- (3) Any two or more contiguous lots, or portions of lots, vacant or developed, for which the owner has executed and recorded a "Unity of Title" form available from the County. "Unity of Title" is a binding agreement by the owner that the property covered thereby shall be restricted to development with a single primary single family residence.

*Project Cost* means:

- (1) The capital cost of the improvement;
- (2) Interest accruing on such obligations for such period of time as the county deems appropriate; and
- (3) Any other costs or expenses related thereto.

*SPRING RIDGE SUBDIVISION: RECLAMATION AND RESURFACING OF NE 58TH LANE, NE 51ST TERRACE, NE 56TH STREET, NE 54TH PLACE, NE 52ND PLACE, NE 58TH TERRACE, NE 56TH AVENUE, NE 53RD TERRACE, NE 51ST AVENUE, NE 50TH COURT, NE 54TH TERRACE, AND NE 57TH COURT LOCATED WITHIN THE SPRING RIDGE SUBDIVISION.*



**Sec. 70-118. Creation of Special Assessment District.**

(a) Pursuant to the provisions of Article III, Chapter 70, Gilchrist County Code, there is hereby created a Special Assessment District encompassing NE 58th Lane, NE 51st Terrace, NE 56th Street, NE 54th Place, NE 52nd Place, NE 58th Terrace, NE 56th Avenue, NE 53rd Terrace, NE 51st Avenue, NE 50th Court, NE 54th Terrace, and NE 57th Court located within the Spring Ridge Subdivision. This area shall be known as the Spring Ridge Subdivision Special Assessment District.

**Sec. 70-119. Imposition of Special Assessment; Use of Revenues.**

(a) Within the Spring Ridge Subdivision Special Assessment District an annual assessment is hereby imposed on each Parcel within the District in the principal amount of \$3,309.97 which may be amortized over a 20 year period at an annual assessment rate of \$276.26 (principal and interest) commencing on October 1, 2023.

(b) The annual assessment shall be collected by way of the uniform method authorized by Section 197.3632, Florida Statutes, (2022).

(c) Each Parcel Owner shall have the option of pre-paying the assessment between April 1 and June 30 by paying to the Gilchrist County Clerk the full principal balance due, plus accrued interest, as determined by the Clerk. Any disagreement over such amount shall be taken to the Board of County Commissioners for final resolution. Any such pre-payments shall immediately be forwarded to the lending institution as pre-payment on the loan, if any.

(d) Use of the revenues collected by way of the assessment shall be used solely for the Project Cost of reclamation and resurfacing of NE 58th Lane, NE 51st Terrace, NE 56th Street, NE 54th Place, NE 52nd Place, NE 58th Terrace, NE 56th Avenue, NE 53rd Terrace, NE 51st Avenue, NE 50th Court, NE 54th Terrace, and NE 57th Court located within the Spring Ridge Subdivision, within unincorporated Gilchrist County.

**Sec. 70-120. Legislative Determinations of Special Benefit and Fair Apportionment.**

(a) There is a direct and logical relationship between paved streets and the use and enjoyment of real property. Specifically, the reclamation and resurfacing of NE 58th Lane, NE 51st Terrace, NE 56th Street, NE 54th Place, NE 52nd Place, NE 58th Terrace, NE 56th Avenue, NE 53rd Terrace, NE 51st Avenue, NE 50th Court, NE 54th Terrace, and NE 57th Court located within the Spring Ridge Subdivision, within unincorporated Gilchrist County specially benefits the Parcels subject to the assessment herein, and increases their market value, by:

- (1) Providing for better access to the Parcels by owners, family members, guests, waste collectors, service providers, and fire, law enforcement, and emergency medical responders;

- (2) Increasing traffic safety within the Special Assessment District;  
and
  - (3) Reducing dust and the attendant damage to adjoining properties  
and the health of residents.
- (b) Each Parcel within the Special Assessment District on which an assessment is imposed will be specifically benefitted by the improvements as set forth in (a) above. The amount and degree of benefit to each parcel will be proportionate to the cost of the annual assessment.
- (c) It is fair and reasonable to apportion the costs of the improvement according to the development potential of a Parcel rather than its size or road frontage. For example, some Parcels within the Subdivision have very small size and/or road frontage, but get equal benefit from the paving due to the paved road providing access to a primary residential dwelling. Moreover, all primary residential structures will enjoy a substantial and commensurate increase in value within the Subdivision, regardless of the size or frontage of the Parcels on which the residential structures are located.

**Sec. 70-121. Hardship Waiver.**

(a) A person who, or family which, for the preceding 12 months had an average family income which is below 100% of the federal poverty level may apply for a hardship waiver from the next annual imposition of the assessment established herein.

(b) The County Commission may adopt policies to implement this hardship provision, which may contain additional limitations, such as on the amount of assets the applicant may own, and procedures and deadlines for applying for the waiver.

Section 2. Instructions to Codifier. Section 1 of this Ordinance shall be codified in the Code of Ordinances of Gilchrist County, Florida.

Section 3. Effective Date. A certified copy of this ordinance shall be filed with the Florida Department of State by the Clerk of the Board of County Commissioners and shall take effect upon receipt of official acknowledgment from the Department of State that this ordinance has been filed.

This Ordinance is passed this 20<sup>th</sup> day of February, 2023 on Motion made by Commissioner Kerrick Thomas; Second by Commissioner Tommy Langford; on a vote of 5 to 0.



(Seal)

BOARD OF COUNTY COMMISSIONERS OF  
GILCHRIST COUNTY, FLORIDA

William M. Martin  
William M. Martin, Chair

ATTEST:

Todd Newton  
Todd Newton  
Clerk to the Board of County Commissioners