

February 13, 2007

Gainesville City Commission
Commissioner Craig Lowe
PO Box 490, Station 19
Gainesville, Florida 32601-0490

Gainesville City Commission
Commissioner Scherwin Henry
PO Box 490, Station 19
Gainesville, Florida 32601-0490

Gainesville City Commission
Commissioner Jeanna Mastrodicasa
PO Box 490, Station 19
Gainesville, Florida 32601-0490

Gainesville City Commission
Commissioner Ed Braddy
PO Box 490, Station 19
Gainesville, Florida 32601-0490

Gainesville City Commission
Commissioner Jack Donovan
PO Box 490, Station 19
Gainesville, Florida 32601-0490

Gainesville City Commission
Commissioner Rick Bryant
PO Box 490, Station 19
Gainesville, Florida 32601-0490

Re: 400 NE 11th Street Gainesville, Florida 32601
410 NE 11th Street Gainesville, Florida 32601
401 NE 10th Street Gainesville, Florida 32601
Petition: 193LUC-06 PB
Petition: 194ZON-06 PB

Dear Sir or Madam:

I am the owner of twenty apartments located in your district and I recently applied for rezoning to cure a non-conformance.

Some thirty years ago, the City of Gainesville rezoned properties throughout the city. At that time, I attended the public hearings and it was my understanding that it was concluded that the north boundary of the multi-family zoning of the area surrounding my property was to be N.E. 4th Place. Apparently, through an admitted mistake by the City's staff, it was changed about 250 ft. to the south. This caused my twenty-unit apartment complex to be in a non-conforming, single-family zoning.

I did not find out about this error until some time later, when the "landlord ordinance" (fees) was passed and the City of Gainesville advised me that I owed a fee for each of the twenty apartments. I then immediately contacted the Planning Department and the City Manager. I was advised that it would be corrected.

Over the last twenty-five years or so, I have discussed this matter with three City Managers, three City Planners and various Code Enforcement Officials and we have always, very cordially, agreed to develop strategy to correct the problem.

The latest possible solution discussed with the City was to try to rezone the property to a multi-family zoning. I filed my application for RMF7 rezoning several weeks ago and the staff recommended approval; there was a City Plan Board meeting on Thursday, January 18, 2007. Much to our surprise, neighborhood opposition (that did not attend our workshop meeting) raised the issue that the rezoning goal (RMF7), under some circumstances, could allow the current density increase (from twenty units to approximately 29 units). The City Plan Board was also concerned about the possibility of increased density at some future date and failed to recommend the rezoning to the City Commission.

Since it has never been my intention to develop this property beyond the current use, I just need a zoning that could exempt me from Landlord Permits. Therefore, in order to bring a good level of comfort to the neighbors at this time, I would like to amend my request from RMF7 (29 units maximum) to RMF5 (17 units maximum), which is less than currently exist.

As per discussions with Ralph Hilliard, by proposing RMF5 zoning density classification, any concerns from the neighbors with the possibility of future increased density could be removed.

If you have any questions prior to the meeting, I can be reached at 352/318-4870.

Sincerely,

Saul Silber
Saul Silber Properties

SS/cb

Doc.400401410CommissionAmendment