

ORDINANCE NO. 100778

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An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property, as more specifically described in this Ordinance, from the zoning category of “MH: 12 units/acre mobile home residential district” to “ED: Educational services district”; located in the vicinity of 2200 Northeast Waldo Road; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, publication of notice of a public hearing was given that the Zoning Map Atlas be amended by rezoning certain property from the zoning category of “MH: 12 units/acre mobile home residential district” to “ED: Educational services district”; and

WHEREAS, notice was given and publication made as required by law and a public hearing was held by the City Plan Board on February 24, 2011; and

WHEREAS, the City Commission finds that the rezoning of the property described herein will be consistent with the City of Gainesville 2000-2010 Comprehensive Plan; and

WHEREAS, at least ten (10) days notice has been given of the public hearing once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a public hearing in the City Commission meeting room, First Floor, City Hall, in the City of Gainesville; and

WHEREAS, pursuant to law, notice has also been given by mail to the property owner whose land the City will redesignate by enactment of this ordinance at least ten days prior to the date set for a public hearing on this ordinance; and

WHEREAS, Public Hearings were held pursuant to the published and mailed notices

1 described above at which hearings the parties in interest and all others had an opportunity to be and
2 were, in fact, heard.

3 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
4 **CITY OF GAINESVILLE, FLORIDA:**

5 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
6 following described property from the zoning category of “MH: 12 units/acre mobile home
7 residential district” to “ED: Educational services district”:

8 See Legal Description attached hereto as Exhibit "A", and made a part hereof
9 as if set forth in full.

10 **Section 2.** The City Manager is authorized and directed to make the necessary changes in
11 the Zoning Map to comply with this Ordinance.

12 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance
13 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
14 finding shall not affect the other provisions or applications of the ordinance which can be given
15 effect without the invalid or unconstitutional provisions or application, and to this end the
16 provisions of this ordinance are declared severable.

17 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
18 such conflict hereby repealed.

19 **Section 5.** This ordinance shall become effective immediately upon final adoption; however,
20 the rezoning shall not become effective until the amendment to the City of Gainesville 2000-2010
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DRAFT

3/17/2011

1 Comprehensive Plan adopted by Ordinance No. 100777 becomes effective as provided therein.

2 PASSED AND ADOPTED this ____ day of _____, 2011.

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CRAIG LOWE, MAYOR

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ATTEST:

APPROVED AS TO FORM AND LEGALITY:

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KURT LANNON,

By: _____
MARION J. RADSON, CITY ATTORNEY

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CLERK OF THE COMMISSION

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This ordinance passed on first reading this ____ day of _____, 2011.

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This ordinance passed on second reading this ____ day of _____, 2011.

A PARCEL OF LAND SITUATED WITHIN THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1690, PAGE 2233, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, SAID PARCEL OF LAND LYING IN SECTION 34, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND NAIL MARKING THE NORTHWEST CORNER OF SECTION 34, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, FOR A POINT OF REFERENCE; THENCE RUN S89°49'21"E, ALONG THE NORTH LINE OF SAID SECTION 34, A DISTANCE OF 1710.36 FEET; THENCE RUN S00°10'39"W, A DISTANCE OF 33.00 FEET TO A 1/2" STEEL ROD AND CAP (GFY LB021) LYING ON THE SOUTH RIGHT OF WAY LINE OF NORTHEAST 23RD AVENUE AND THE POINT OF BEGINNING; THENCE RUN S00°11'37"W, A DISTANCE OF 49.22 FEET TO A 5/8" STEEL ROD AND CAP (PLS 3224) MARKING THE INTERSECTION WITH THE NORTHEASTERLY LINE OF THE FORMER FLORIDA DEPARTMENT OF TRANSPORTATION PROPERTY; THENCE RUN S57°07'54"E, ALONG SAID NORTHEASTERLY LINE, A DISTANCE OF 907.82 FEET TO A 1/2" STEEL ROD AND CAP (PLS 3224) LYING ON THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD 24 (aka WALDO ROAD); THENCE RUN N30°41'38"E, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 114.45 FEET TO A 1/2" STEEL ROD AND CAP (GFY LB021); THENCE RUN N59°18'22"W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 17.00 FEET TO A 1/2" STEEL ROD AND CAP (GFY LB021); THENCE RUN N30°41'38"E, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 18.00 FEET TO A 1/2" STEEL ROD AND CAP (GFY LB021); THENCE RUN N61°04'41"W, LEAVING SAID RIGHT OF WAY LINE, A DISTANCE OF 538.87 FEET TO A 1/2" STEEL ROD AND CAP (GFY LB021); THENCE RUN N00°10'39"E, A DISTANCE OF 157.69 FEET TO A 1/2" STEEL ROD AND CAP (GFY LB021) LYING ON THE SOUTH RIGHT OF WAY LINE OF NORTHEAST 23RD AVENUE; THENCE RUN N88°49'21"W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 344.15 FEET TO THE POINT OF BEGINNING.