

LEGISLATIVE #

121097A

ORDINANCE NO. 121097

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3 **An ordinance amending the Zoning Map Atlas of the City of Gainesville,**
4 **Florida, by rezoning approximately 3.47 acres of property generally located**
5 **west of NE 18th Street, south of NE 6th Place, east of NE 17th Terrace, and**
6 **north of NE 5th Avenue, as more specifically described in this ordinance, from**
7 **Residential low density district (RMF-5) to Multiple-family medium density**
8 **residential district (RMF-7); providing directions to the City Manager;**
9 **providing a severability clause; providing a repealing clause; and providing**
10 **an effective date.**

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12 **WHEREAS,** notice was given as required by law that the Zoning Map Atlas of the City
13 of Gainesville, Florida, be amended by rezoning certain property from Residential low density
14 district (RMF-5) to Multiple-family medium density residential district (RMF-7); and

15 **WHEREAS,** notice was given as required by law and a public hearing was held by the
16 City Plan Board on April 25, 2013; and

17 **WHEREAS,** at least ten (10) days' notice has been given once by publication in a
18 newspaper of general circulation notifying the public of this proposed ordinance and of public
19 hearings in the City Hall Auditorium located on the first floor of City Hall in the City of
20 Gainesville; and

21 **WHEREAS,** the public hearings were held pursuant to the notice described above at
22 which hearings the parties in interest and all others had an opportunity to be and were, in fact,
23 heard; and

24 **WHEREAS,** the City Commission finds that the rezoning of the property described
25 herein will be consistent with the City of Gainesville Comprehensive Plan when City of
26 Gainesville Ordinance No. 121096 becomes effective as provided therein.

27 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
28 **CITY OF GAINESVILLE, FLORIDA:**

29 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the

1 following property from Residential low density district (RMF-5) to Multiple-family medium
2 density residential district (RMF-7):

3 See legal description attached as Exhibit "A" and made a part hereof as if set
4 forth in full. The location of the property is shown on Exhibit "B" for visual
5 reference. In the event of conflict or inconsistency, Exhibit "A" shall prevail
6 over Exhibit "B."

7 **Section 2.** The City Manager or designee is authorized and directed to make the
8 necessary changes to the Zoning Map Atlas to comply with this ordinance.

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

14 **Section 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of
15 such conflict hereby repealed.

16 **Section 5.** This ordinance shall become effective immediately upon adoption; however,
17 rezoning shall not be effective until the amendment to the City of Gainesville Comprehensive
18 Plan adopted by Ordinance No. 121096 becomes effective as provided therein.

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20 **PASSED AND ADOPTED** this _____ day of _____, 2013.

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EDWARD B. BRADDY
MAYOR

Attest:

Approved as to form and legality:

By: _____
KURT LANNON
CLERK OF THE COMMISSION

By: _____
NICOLLE M. SHALLEY
CITY ATTORNEY

This ordinance passed on first reading this _____ day of _____, 2013.

This ordinance passed on second reading this _____ day of _____, 2013.

Legal Description

DESCRIPTION:

A PARCEL OF LAND SITUATED IN SECTION 3, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

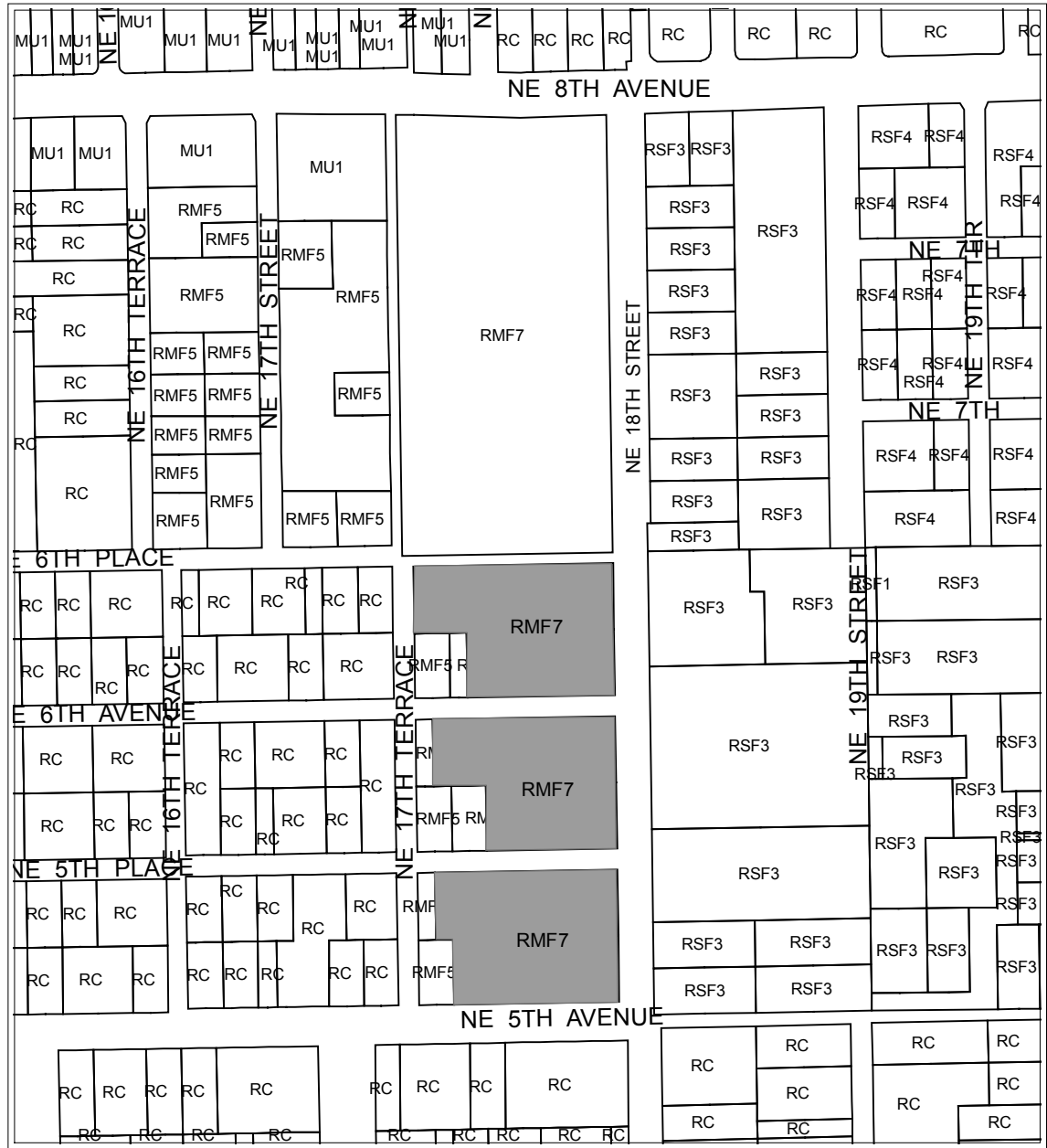
COMMENCE AT THE SOUTHEAST CORNER OF BLOCK E OF JERU PARK AS RECORDED IN PLAT BOOK C, PAGE 44 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, AS THE POINT OF REFERENCE, THENCE RUN NORTH 89°46'58" WEST ALONG THE SOUTH LINE OF SAID BLOCK "E", 15.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°46'58" WEST ALONG THE SOUTH LINE OF SAID BLOCK "E", A DISTANCE OF 235.02 FEET TO THE SOUTHEAST CORNER OF LOT 14 OF SAID BLOCK "E"; THENCE RUN NORTH 00°16'45" EAST, 94.23 FEET TO THE NORTHEAST CORNER OF SAID LOT 14; THENCE RUN NORTH 89°48'00" WEST, 24.96 FEET TO THE NORTHWEST CORNER OF SAID LOT 14, THE SAME BEING THE SOUTHEAST CORNER OF LOT 12, BLOCK E; THENCE RUN NORTH 00°16'45" EAST, 94.17 FEET TO THE NORTHEAST CORNER OF SAID LOT 12; THENCE RUN SOUTH 89°44'15" EAST ALONG THE NORTH LINE OF BLOCK E, 75.00 FEET TO THE NORTHEAST CORNER OF LOT 9 OF SAID BLOCK "E"; THENCE RUN NORTH 00° 16'00" EAST, 124.15 FEET TO THE NORTHEAST CORNER OF LOT 16, BLOCK D, OF SAID JERU PARK; THENCE RUN NORTH 89°47'37" WEST, 75.03 FEET TO THE SOUTHEAST CORNER OF LOT 12, BLOCK D; THENCE RUN NORTH 00°15'19" EAST 94.09 FEET TO THE NORTHEAST CORNER OF LOT 12, BLOCK D; THENCE SOUTH 89°51'16" EAST ALONG THE NORTH LINE OF BLOCK D, 49.96 FEET TO THE NORTHEAST CORNER OF LOT 10, AT SAID BLOCK "B"; THENCE RUN NORTH 00°22'18" EAST, 124.16 FEET TO THE NORTHEAST CORNER OF LOT 15, BLOCK A OF SAID JERU PARK; THENCE RUN NORTH 89° 46'46" WEST, 75.10 FEET TO THE WEST LINE OF BLOCK A; THENCE RUN NORTH 00°16'00" EAST ALONG SAID WEST LINE AND A NORTHERLY PROJECTION OF SAME, 109.15 FEET TO THE SOUTH LINE OF LOT 13 OF NEW GAINESVILLE AS RECORDED IN PLAT BOOK A, PAGE 66 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN SOUTH 89°46'46" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 284.97 FEET TO THE WEST RIGHT OF WAY LINE OF NORTHEAST 18TH STREET; THENCE SOUTH 0°16'24" WEST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 639.92 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 3.47 ACRES, MORE OR LESS.


City of Gainesville Zoning Districts

- RSF-3 5.8 units/acre Single-Family Residential
- RSF-4 8 units/acre Single-Family Residential
- RMF-5 12 units/acre Single-Family/Multiple-Family Residential
- RMF-7 8-21 units/acre Multiple-Family Residential
- RC 12 units/acre Residential Conservation
- MU-1 8-30 units/acre Mixed Use Low Intensity

Exhibit "B" to Ordinance No. 121097




Area under petition consideration



----- Division line between two zoning districts

PROPOSED ZONING

	Name	Petition Request	Map(s)	Petition Number
	Causseaux, Hewett & Walpole, agent for Gardenia Garden Apartments Limited Partnership	Rezone property from RMF-5 (12 units/acre multiple family district) to RMF-7 (8-21 units per acre multiple family district)	3954	PB-13-27 ZON