

**Legislative #**

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**100851**

# D R A F T

6/16/2011

## ORDINANCE NO. 100851

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4 **An ordinance of the City of Gainesville, Florida, amending the Zoning**  
5 **Map Atlas and rezoning certain property from “PS: Public services**  
6 **and operations district” and “MH: 12 units/acre mobile home**  
7 **residential district” to “ED: Educational services district”; consisting**  
8 **of approximately 14.3 acres, and located in the vicinity of 2004**  
9 **Northeast Waldo Road; providing a severability clause; providing a**  
10 **repealing clause; and providing an immediate effective date.**

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

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

19 **WHEREAS**, notice was given and publication made of a public hearing which was then held  
20 by the City Commission on May 5, 2011; and

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

23 **WHEREAS**, pursuant to law, an advertisement no less than two columns wide by 10 inches  
24 long was placed in a newspaper of general circulation and of the public hearing to be held in the City  
25 Commission Meeting Room, First Floor, City Hall, in the City of Gainesville at least seven (7) days  
26 after the day the first advertisement was published; and

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1           **WHEREAS**, a second advertisement no less than two columns wide by 10 inches long was  
2 placed in the aforesaid newspaper notifying the public of the second public hearing to be held at the  
3 adoption stage at least five (5) days after the day the second advertisement was published; and

4           **WHEREAS**, Public Hearings were held pursuant to the published and mailed notices  
5 described above at which hearings the parties in interest and all others had an opportunity to be and  
6 were, in fact, heard.

7           **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**  
8 **CITY OF GAINESVILLE, FLORIDA:**

9           **Section 1.** Area 1: The Zoning Map Atlas of the City of Gainesville is amended by  
10 rezoning the following described properties from “PS: Public services and operations district”  
11 and “MH: 12 units/acre mobile home residential district ” to “ED: Educational services district”,  
12 as more specifically described below:

13           See legal description attached hereto as Exhibit “A” and made a part hereof  
14 as if set forth in full.

15  
16           **Section 2.** The City Manager is authorized and directed to make the necessary changes in  
17 the Zoning Map to comply with this Ordinance.

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

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

3           **Section 5.** This ordinance shall become effective immediately upon final adoption;  
4 however, the rezoning shall not become effective until the amendment to the City of Gainesville  
5 2000-2010 Comprehensive Plan adopted by Ordinance No. 100850 becomes effective as provided  
6 therein.

7           **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_.

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\_\_\_\_\_  
Craig Lowe, Mayor

11

12 ATTEST:

APPROVED AS TO FORM AND LEGALITY:

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By: \_\_\_\_\_

17

Kurt Lannon,  
Clerk of the Commission

Marion J. Radson, City Attorney

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This ordinance passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

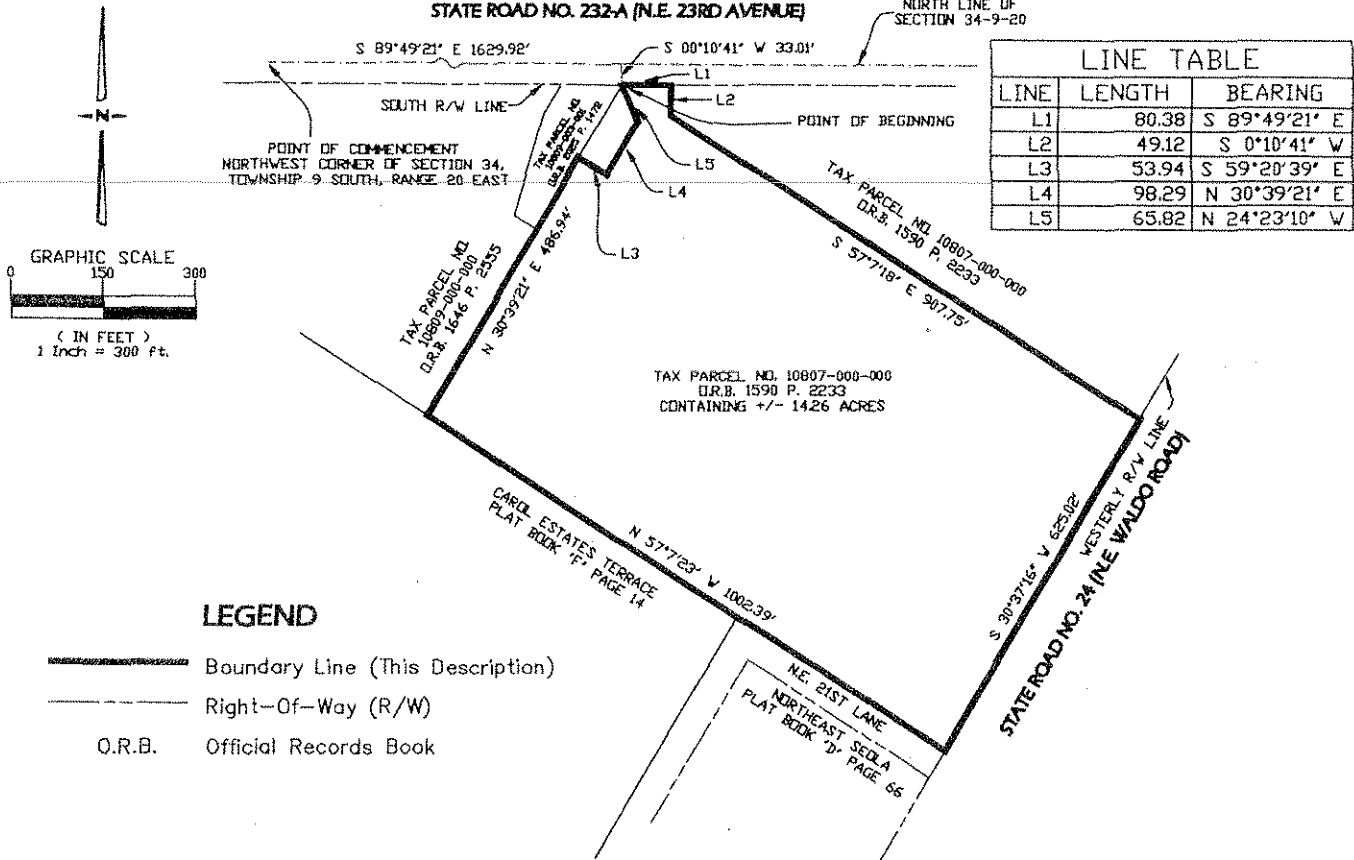
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This ordinance passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

# SKETCH AND LEGAL DESCRIPTION

IN SECTION 34, TOWNSHIP 9 SOUTH, RANGE 20 EAST ALACHUA COUNTY, FLORIDA



## LEGAL DESCRIPTION: (BY THIS SURVEYOR)

A PORTION OF THE FORMER FLORIDA DEPARTMENT OF TRANSPORTATION'S LANDS LYING IN THE NORTHWEST ¼ (ONE QUARTER) OF SECTION 34, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 34; THENCE RUN SOUTH 89° 49' 21" EAST ALONG THE NORTH LINE OF SAID SECTION 34 A DISTANCE OF 1629.92 FEET; THENCE RUN SOUTH 0° 10' 41" WEST A DISTANCE OF 33.01 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF N.E. 23RD AVENUE AND THE POINT OF BEGINNING; THENCE RUN SOUTH 89° 49' 21" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE AND THE NORTH LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 553, PAGE 146 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA A DISTANCE OF 80.38 FEET; THENCE RUN SOUTH 00° 10' 41" WEST ALONG THE EAST LINE OF SAID LANDS A DISTANCE OF 49.12 FEET; THENCE RUN SOUTH 57° 07' 18" EAST ALONG THE NORTH LINE OF SAID LANDS A DISTANCE OF 907.75 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF WALDO ROAD, ALSO KNOWN AS STATE ROAD NO. 24; THENCE RUN SOUTH 30° 37' 16" WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 625.02 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE RUN NORTH 57° 07' 23" WEST A DISTANCE OF 1002.39 FEET; THENCE RUN NORTH 30° 39' 21" EAST ALONG THE WEST LINE OF SAID LANDS A DISTANCE OF 486.94 FEET; THENCE RUN SOUTH 59° 20' 39" EAST A DISTANCE OF 53.94 FEET; THENCE RUN NORTH 30° 39' 21" EAST A DISTANCE OF 98.29 FEET; THENCE RUN NORTH 24° 23' 10" WEST A DISTANCE OF 65.82 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF N.E. 23RD AVENUE AND THE POINT OF BEGINNING, CONTAINING 14.26 ACRES, MORE OR LESS.

### SURVEYOR'S NOTES:

- THIS SKETCH AND LEGAL DESCRIPTION IS BASED ON THE SKETCH AND LEGAL DESCRIPTION PREPARED BY GEORGE F. YOUNG, PROJECT NO. 02530072.01 FOR THE UNIVERSITY OF FLORIDA ADMINISTRATIVE AFFAIRS DATED 7-16-02.
- THE SOLE PURPOSE OF THIS SKETCH AND LEGAL DESCRIPTION IS TO COMBINE THE TWO SEPARATE PARCELS AS SHOWN ON THAT SKETCH.

- THIS IS NOT A BOUNDARY SURVEY -

CITY OF GAINESVILLE PUBLIC WORKS DEPARTMENT  
ENGINEERING SUPPORT SERVICES

405 NW 38TH AVENUE P.O. BOX 480 GAINESVILLE, FL 32602-0480  
OFFICE (352) 393-8194 FAX (352) 334-2093

DATE: JUNE 14, 2011

DRAWN BY: TH

CHECKED BY: PD

THIS SKETCH AND LEGAL DESCRIPTION WAS PREPARED TO MEET THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 8-176 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.021, FLORIDA STATUTES AND IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL INKED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER.

PATRICK E. DURBIN, PROFESSIONAL SURVEYOR AND MAPPER, FLORIDA CERTIFICATION NUMBER 5368

EXHIBIT "A"