

ORDINANCE NO. 030910
0-04-39

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property annexed into the City from the Alachua County zoning category of “BH, business, highway” to the City of Gainesville zoning category of “MU-1: 8-30 units/acre mixed use low intensity; located in the vicinity of 3230 S.W. Archer 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 annexed into the City from the Alachua County zoning category of “BH, business, highway” to the City of Gainesville zoning category of “MU-1: 8-30 units/acre mixed use low intensity”; and

WHEREAS, notice was given and publication made as required by law and public hearings were held by the City Plan Board on February 19, 2004 and February 26, 2004; and

WHEREAS, the City Commission finds that the rezoning of the property described herein is 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 owners whose properties will be regulated by the adoption of this Ordinance, at least thirty days prior to the date set for a public hearing on this ordinance; and

1 **WHEREAS**, the public hearing was held pursuant to the published and mailed notice
2 described above at which hearing the parties in interest and all others had an opportunity to be
3 and were, in fact, heard.

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

6 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
7 following described property from the Alachua County zoning category of “BH, business,
8 highway” to the City of Gainesville zoning category of “MU-1: 8-30 units/acre mixed use low
9 intensity”:

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

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

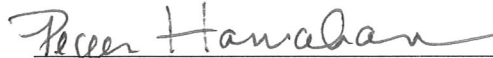
14 **Section 3.** If any section, sentence, clause or phrase of this ordinance is held to be invalid
15 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way
16 affect the validity of the remaining portions of this ordinance.

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.
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PASSED AND ADOPTED this 24th day of May 2004.



Pegen Hanrahan, Mayor

ATTEST:

Approved as to form and legality:



Kurt Lannon,
Clerk of the Commission

By: 

Marion J. Radson, City Attorney
MAY 25 2004

This ordinance passed this 24th day of May 2004.

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Exhibit A

Parcel #1 - 06784-001-000 and Parcel #2 - 06783-001-001 recognized by the Alachua County Property Appraiser, being more accurately defined by the legal description below:

PARCEL 1:

Commence at the Northwest corner of Section 13, Township 10 South, Range 19 East, and run North 88°30'30" East, along the North line of said Section 13, 50.00 feet to the East right of way line of Southwest 34th Street and the Point of Beginning; thence continue North 88°30'30" East, along said North line, 534.00 feet; thence run South 00°48'30" East, 740.66 feet to a point on the Northwesterly right of way line of State Road No. 24, said point being on a curve concave to the Southeast and having a radius of 5807.58 feet; thence run in a Southwesterly direction along said right of way curve, an arc distance of 99.85 feet; thence run North 35°35' West, 156.14 feet; thence run South 88°10'16" West, 359.59 feet to a point on the said East right of way line of Southwest 34th Street, said point being on a curve concave to the East and having a radius of 11,409.16 feet; thence run in a Northerly direction, along said right of way curve, an arc distance of 110.18 feet to the Point of Tangency of said curve; thence run North 00°58'30" West, along said East right of way line, 556.30 feet to the Point of Beginning. All being and lying in Section 13, Township 10 South, Range 19 East, Alachua County, Florida.

PARCEL 2:

A tract of land situated in Section 13, Township 10 South, Range 19 East, Alachua County, Florida, said tract of land being more particularly described as follows:

Commence at the Northwest corner of Section 13, Township 10 South, Range 19 East, and run South 89°10'50" East, along the North line of said Section 13, a distance of 584.10 feet; thence run South 01°25'17" West, 725.23 feet to the Point of Beginning; thence continue South 01°25'17" West, 17.00 feet to the Northerly right of way line of State Road No. 24; thence run Northeasterly along said right of way line with a curve concave Southeasterly, said curve having a central angle of 00°06'13", a radius of 7185.68 feet, an arc length of 13.00 feet and a chord bearing and distance of North 59°25'07" East, 13.00 feet; thence run North 46°02'10" West, 14.96 feet to the Point of Beginning.

Together with the following described easement:

A tract of land situated in Section 13, Township 10 South, Range 19 East, Alachua County, Florida, said tract of land being more particularly described as follows: Commence at the N.W. corner of Section 13, Township 10 South, Range 19 East, and run South 89°10'50" East, along the North line of Section 13, 584.10 feet; thence run South 01°25'17" West, 164.98 feet to the Point of Beginning; thence continue South 01°25'17" West, 135.00 feet; thence run South 89°10'50" East, 20.00 feet; thence run North 01°25'17" East, 135.00 feet; thence run North 89°10'50" West, 20.00 feet to the Point of Beginning.