

Legislative #

140382A

ORDINANCE NO. 140382

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 0.89 acres of property generally located within the 1900 block of the north side of NW 53rd Avenue and within the 1700 block of the south side of NW 53rd Avenue, as more specifically described in this ordinance, from General Office District (OF) and General Business District (BUS) to Public Services and Operations District (PS); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, notice was given as required by law that the Zoning Map Atlas of the City of Gainesville, Florida, be amended by rezoning certain property from General Office District (OF) and General Business District (BUS) to Public Services and Operations District (PS); and

WHEREAS, the City Plan Board, which acts as the local planning agency pursuant to Section 163.3174, Florida Statutes, held a public hearing on September 25, 2014, and voted to recommend that the City Commission adopt this ordinance; and

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

WHEREAS, at least thirty (30) days' notice has been given by mail to each real property owner whose land will be redesignated by enactment of this ordinance and whose address is known by reference to the latest ad valorem tax records, notifying such property owners of this proposed ordinance and of a public hearing in the City Hall Auditorium located on the first floor of City Hall in the City of Gainesville; and

WHEREAS, the public hearing was held pursuant to the notice described above at which hearing the parties in interest and all others had an opportunity to be and were, in fact, heard; and

1 **WHEREAS**, the City Commission finds that the rezoning of the property described
2 herein will be consistent with the City of Gainesville Comprehensive Plan when City of
3 Gainesville Ordinance No. 140381 becomes effective as provided therein.

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 property from General Office District (OF) and General Business District (BUS) to
8 Public Services and Operations District (PS):

9 See legal description attached as Exhibit "A" and made a part hereof as if set forth
10 in full. The location of the property is shown on Exhibit "B" for visual reference.
11 In the event of conflict or inconsistency, Exhibit "A" shall prevail over Exhibit
12 "B". For informational purposes only, the existing zoning districts are shown on
13 Exhibit "C".

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

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

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

23 **Section 5.** This ordinance shall become effective immediately upon adoption; however,
24 the rezoning shall not become effective until the amendment to the City of Gainesville
25 Comprehensive Plan adopted by Ordinance No. 140381 becomes effective as provided therein.

26 **PASSED AND ADOPTED** this ____ day of January, 2015.
27

1
2
3
4
5
6
7
8
9
10
11
12
13
14

EDWARD B. BRADY
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 this _____ day of January, 2015.

LEGAL DESCRIPTION FOR TAX PARCEL 07882-014-001

A portion of the Southwest $\frac{1}{4}$ of Section 18, Township 9 South, Range 20 East, Alachua County, Florida; being more particularly described as follows:

Commence at the Southwest corner of Section 18, Township 9 South, Range 20 East and run South 89 degrees 27 minutes East along the south line of said Section 2614.47 feet; thence run North 1 degree 05 minutes 53 seconds East 150 feet to the north right-of-way line of a City Of Gainesville 90 foot right-of-way and the Point of Beginning; thence run North 89 degrees 27 minutes West, parallel with and 150.00 feet north of said south line (measured perpendicular) and along said right-of-way line 150.01 feet; thence run North 1 degree 05 minutes 53 seconds East 241.86 feet; thence run South 89 degrees 28 minutes 34 seconds East 150.01 feet; thence run South 1 degree 05 minutes 53 seconds West 241.93 feet to the Point of Beginning.

TOGETHER WITH the right of ingress and egress reserved by the grantor in deed to the City Of Gainesville recorded in Official Records Book 473, page 449, of the Public Records of Alachua County, Florida.

LEGAL DESCRIPTION FOR TAX PARCEL 07883-003-000

A PORTION OF LAND IN BLOCK 3, PLAT OF PARADISE, PLAT BOOK "A", PAGE 4, LYING IN SECTION 19, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF BLOCK 4, PLAT OF PARADISE, PLAT BOOK "A", PAGE 4, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF NORTHWEST 53RD AVENUE, THENCE RUN NORTH 89° 14' 27" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 660.17 FEET TO THE NORTHWEST CORNER OF BLOCK 3 AND THE POINT OF BEGINNING, THENCE CONTINUE NORTH 89° 14' 27" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 50.00 FEET, THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE RUN SOUTH 00° 42' 33" EAST, A DISTANCE OF 50.00 FEET, THENCE RUN SOUTH 89° 14' 27" WEST, A DISTANCE OF 50.00 FEET TO A POINT ON THE WEST LINE OF BLOCK 3, PLAT OF PARADISE, PLAT BOOK "A", PAGE 4, THENCE RUN NORTH 00° 42' 33" WEST ALONG SAID WEST LINE OF SAID BLOCK 3, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.


CONTAINING 2500.00 SQUARE FEET, 0.06 ACRES MORE OR LESS.

City of Gainesville Zoning Districts

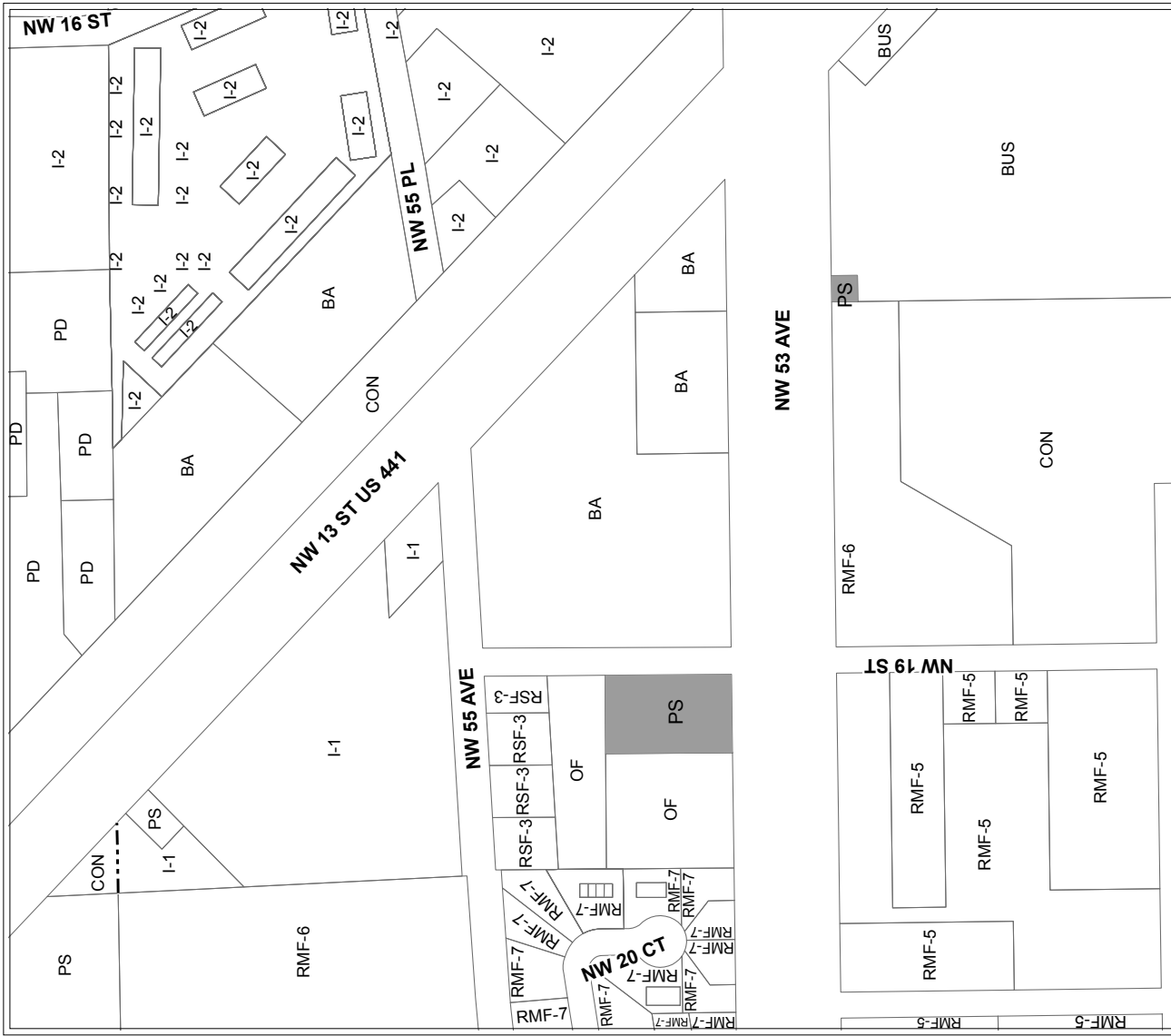
- RSF-3 5.8 units/acre Single-Family Residential
- RMF-5 12 units/acre Single-Family/Multiple-Family Residential
- RMF-6 8-15 units/acre Multiple-Family Residential
- RMF-7 8-21 units/acre Multiple-Family Residential
- OF General Office
- BUS General Business
- BA Automotive-Oriented Business
- I-1 Limited Industrial
- I-2 General Industrial
- CON Conservation
- PS Public Services and Operations
- PD Planned Development

Exhibit "B" to Ordinance No. 140382

Area under petition consideration



----- Division line between two zoning districts



PROPOSED ZONING


Name	Petition Request	Petition Number
City of Gainesville, applicant	Rezone property from General Business district (BUS) and General Office district (OF) to Public Services and Operations district (PS)	PB-14-97 ZON



City of Gainesville Zoning Districts

- RSF-3 5.8 units/acre Single-Family Residential
- RMF-5 12 units/acre Single-Family/Multiple-Family Residential
- RMF-6 8-15 units/acre Multiple-Family Residential
- RMF-7 8-21 units/acre Multiple-Family Residential
- OF General Office
- BUS General Business
- BA Automotive-Oriented Business
- I-1 Limited Industrial
- I-2 General Industrial
- CON Conservation
- PS Public Services and Operations
- PD Planned Development

Area under petition consideration



----- Division line between two zoning districts

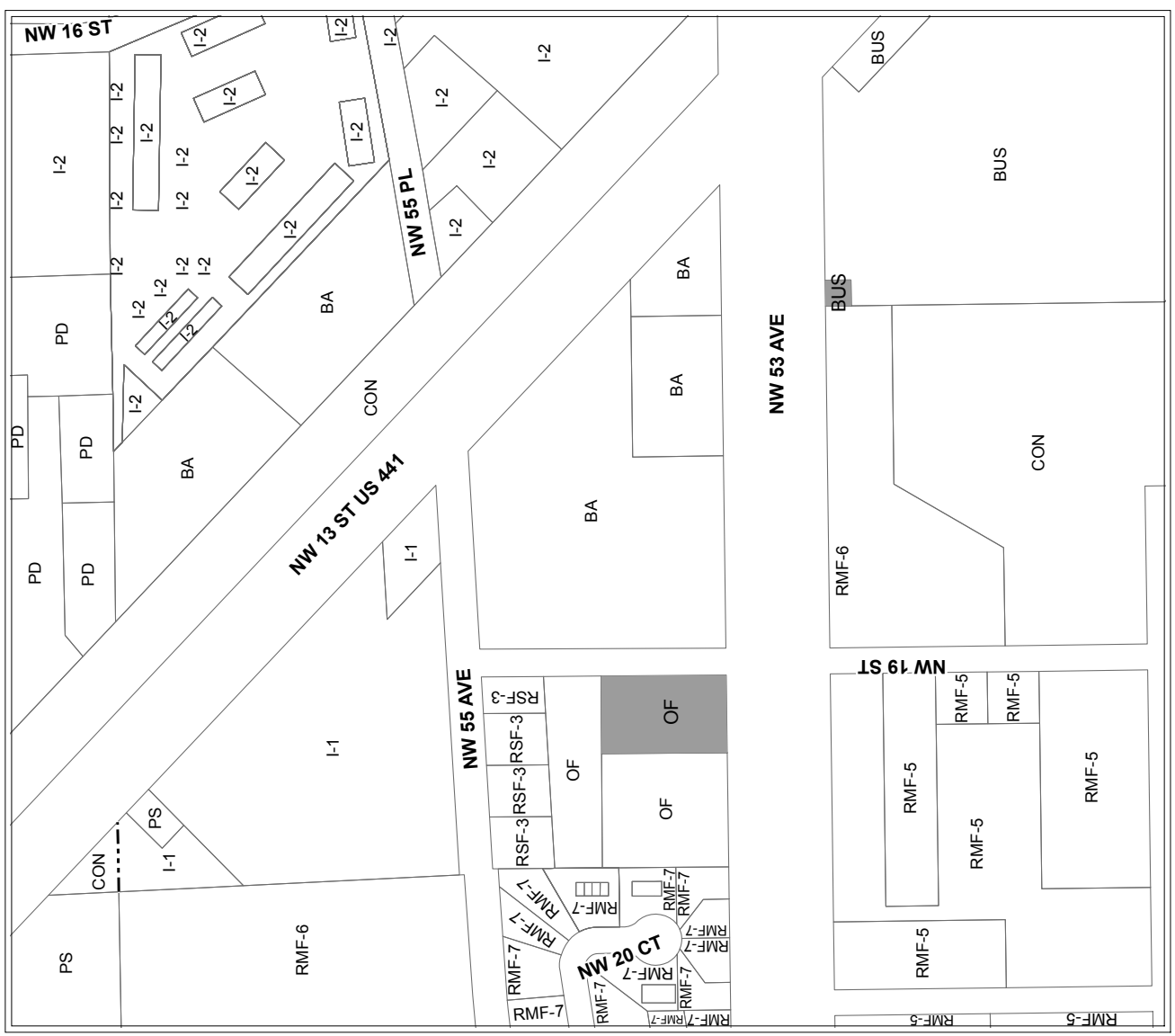


Exhibit "C" to Ordinance No. 140382

EXISTING ZONING

Name	Petition Request	Petition Number
City of Gainesville, applicant	Rezone property from General Business district (BUS) and General Office district (OF) to Public Services and Operations district (PS)	PB-14-97 ZON

