

ORDINANCE NO. 050914
0-06-50

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property within the City from “Planned Development District” to “PS: Public services and operations district”; to allow a public park without approval of a preliminary development plan; located in the vicinity of 2611 Southwest 31st Place; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, by initiation of a petition by the property owner, publication of notice of a public hearing was given that the Zoning Map Atlas be amended by rezoning certain property within the City from the zoning category of “Planned Development District” to “PS: Public services and operations 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 March 16, 2006; 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 hearings 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 owner whose property will be regulated by the adoption of this Ordinance, thirty days prior to the adoption of 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 zoning category of “Planned Development District” to
8 “PS: Public services and operations district:

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

11 **Section 2.** The use permitted by right on the property described in Section 1 of this
12 Ordinance is a public park for recreation use.

13 **Section 3.** The City Commission finds that a preliminary development plan is not
14 required in connection with this rezoning.

15 **Section 4.** The City Manager is authorized and directed to make the necessary changes in
16 the Zoning Map to comply with this Ordinance.

17 **Section 5.** If any section, sentence, clause or phrase of this ordinance is held to be invalid
18 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way
19 affect the validity of the remaining portions of this ordinance.

20 **Section 6.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
21 such conflict hereby repealed; however, the rezoning shall not become effective until the
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1 amendment to the City of Gainesville 2000-2010 Comprehensive Plan adopted by Ordinance No.
2 050913 becomes effective as provided therein.

3 **Section 7.** This ordinance shall become effective immediately upon final adoption.

4 **PASSED AND ADOPTED** this 26th day of June, 2006.

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9 ATTEST:


PEGEEN HANRAHAN, MAYOR

Approved as to form and legality:

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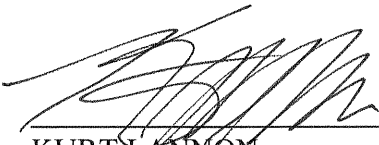
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KURT LANNON,
CLERK OF THE COMMISSION


MARION J. RADSON, CITY ATTORNEY
JUN 27 2006

This ordinance passed this 26th day of June, 2006.

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EXHIBIT "A"

A PARCEL OF LAND BEING A PORTION OF THE COMMON AREA OF PHOENIX SUBDIVISION, A PLANNED UNIT DEVELOPMENT, AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK "J", PAGE 70 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

FOR A POINT OF BEGINNING COMMENCE AT THE SOUTHEAST CORNER OF LOT 83 OF SAID PHOENIX SUBDIVISION AND RUN N 84° 56' 47" E A DISTANCE OF 35.95 FEET TO A POINT ON THE WEST LINE OF LOT 74; THENCE RUN N 5° 07' 52" W ALONG THE WEST LINE OF LOT 74 THROUGH 77 A DISTANCE OF 145.17 FEET TO A POINT ON THE SOUTH LINE OF LOT 78; THENCE RUN S 84° 37' 06" W A DISTANCE OF 17.83 TO THE SOUTHWEST CORNER OF SAID LOT 78; THENCE RUN N 5° 07' 52" W ALONG THE WEST LINE OF LOT 78 A DISTANCE OF 15.34 FEET TO THE SOUTHEAST CORNER OF LOT 79; THENCE RUN S 84° 37' 06" W ALONG THE SOUTH LINE OF LOT 79 A DISTANCE OF 17.90 FEET TO THE NORTHEAST CORNER OF LOT 80; THENCE RUN S 5° 03' 13" E ALONG THE EAST LINE OF LOTS 80 THROUGH 83 A DISTANCE OF 160.31 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 5,475 SQUARE FEET OR 0.126 ACRES MORE OR LESS.