1   **ORDINANCE NO. <u>050767</u>**
2   **0-06-57**
3
4   **An ordinance of the City of Gainesville, Florida, amending the Zoning**
5   **Map Atlas and rezoning certain property annexed into the City from**
6   **the Alachua County zoning category of "A, agricultural district" to**
7   **the City of Gainesville zoning category of "CON: Conservation**
8   **district"; located in the vicinity of the 900 block of Southwest 34th**
9   **Street, west side, as more specifically described in this Ordinance;**
10 **providing a severability clause; providing a repealing clause; and**
11 **providing an immediate effective date.**
12
13
14 **WHEREAS,** publication of notice of a public hearing was given that the Zoning Map

15 Atlas be amended by rezoning certain property annexed into the City from the Alachua County

16 zoning category of "A, agricultural district" to the City of Gainesville zoning category of "CON:

17 Conservation district"; and

18 **WHEREAS,** notice was given and publication made as required by law and a public

19 hearing was held by the City Plan Board on April 20, 2006; and

20 **WHEREAS,** the City Commission finds that the rezoning of the property described herein

21 will be consistent with the City of Gainesville 2000-2010 Comprehensive Plan; and

22 **WHEREAS,** pursuant to law, an advertisement no less than two columns wide by 10 inches

23 long was placed in a newspaper of general circulation notifying the public of the public hearing to be

24 held in the City Commission Meeting Room, First Floor, City Hall, in the City of Gainesville at least

25 seven (7) days after the day the first advertisement was published; and

Petition No. 173ZON-05PB

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

10 following described property from the Alachua County zoning category of "A, agricultural

11 district" to the City of Gainesville zoning category of "CON: Conservation district":

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

14 **Section 2.** The City Manager is authorized and directed to make the necessary changes in

15 the Zoning Map to comply with this Ordinance.

16 **Section 3.** If any section, sentence, clause or phrase of this ordinance is held to be invalid

17 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect

18 the validity of the remaining portions of this ordinance.

19 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of

20 such conflict hereby repealed.

Petition No. 173ZON-05PB

1   **Section 5.** This ordinance shall become effective immediately upon final adoption.

2   **PASSED AND ADOPTED** this 13th day of November, 2006.

3
4   _Pegeen Hanrahan_
5   Pegeen Hanrahan, Mayor
6
7   ATTEST: Approved as to form and legality:
8
9
10
11   By: _____
12 Kurt Lannon,   Marion J. Radson, City Attorney   NOV 1 4 2006
13 Clerk of the Commission
14
15
16   This ordinance passed on first reading this 23rd day of October, 2006.
17
18   This ordinance passed on second reading this 13th day of November, 2006.
19
20 H:\Marion Radson\Planning\173ZON-05PB pet.DOC

-3-

Petition No. 173ZON-05PB

Exhibit A

Legal Description for Parcel Numbers 06693-000-000 and 06694-000-000
Section 11, Township 10 South, Range 19 East

Lots 1 and 2 in Section 11, Township 10 South, Range 19 East, according to a survey plat of said Lot 2 made by J.W. Patton, in May 1923, recorded in Deed Book 250, page 397, of the Public Records of Alachua County, Florida, containing 376,200 square feet or 8.64 acres, more of less.

Legal Description for Parcel Numbers 06695-000-000
Section 11, Township 10 South, Range 19 East

Lot 3, of Thomas Sweat Subdivision of Lot 2, of Section 11, Township 10 South, Range 19 East, Alachua County, Florida. Said parcel contains 188,100 square feet or 4.32 acres, more of less.

EXHIBIT "A"