

ORDINANCE NO. \_\_\_\_\_  
0-10-12

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4     **An ordinance amending the City of Gainesville 2000-2010**  
5     **Comprehensive Plan Future Land Use Map; by changing the land use**  
6     **category of certain property located at 4123 Southwest 50<sup>th</sup> Street and**  
7     **more specifically described in this ordinance from the Alachua County**  
8     **land use category of “Low Density Residential (1-4 DU/acre)” to the**  
9     **City of Gainesville land use categories of “Residential Low-Density (up**  
10    **to 12 units per acre)” and “Conservation”; providing a severability**  
11    **clause; providing a repealing clause; and providing an effective date.**

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15     **WHEREAS**, by initiation of a petition by the property owner, publication of notice of a  
16 public hearing was given that the Future Land Use Map be amended by changing the land use  
17 category of certain properties from the Alachua County land use category of “Low Density  
18 Residential (1-4 DU/acre)” to the City of Gainesville land use categories of “Residential Low-  
19 Density (up to 12 units per acre)”; and “Conservation”;

20     **WHEREAS**, notice was given and publication made as required by law and a public  
21 hearing was held by the City Plan Board on February 1, 2010; and

22     **WHEREAS**, the amendment to the Future Land Use Map of the City of Gainesville 2000-  
23 2010 Comprehensive Plan proposed herein directly relates to a small scale development activity as  
24 provided in Chapter 163, Florida Statutes; and

25     **WHEREAS**, the City of Gainesville will transmit copies of the public notice and this  
26 proposed ordinance to the State Land Planning Agency, the regional planning council, and any  
27 other person or entity who has requested a copy; and

1           **WHEREAS**, at least ten (10) days notice has been given of a public hearing once by  
2 publication in a newspaper of general circulation notifying the public of this proposed ordinance  
3 and of a Public Hearing in the City Commission meeting room, First Floor, City Hall in the City of  
4 Gainesville; and

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

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

10           **Section 1.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive  
11 Plan is amended by changing the land use category of the following described property from the  
12 Alachua County land use category of “Low Density Residential (1-4 DU/acre)” to the City of  
13 Gainesville land use category of “Residential Low-Density (up to 12 units per acre)”.

14                   See legal description attached hereto as Exhibit "A", and made a part  
15 hereof as if set forth in full. For visual reference, the property is  
16 shown as Parcel 2 on the “Description Sketch” attached as Exhibit  
17 “C”. In the event of conflict or inconsistency, Exhibit “A” shall  
18 prevail over Exhibit “C”.  
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20           **Section 2.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive  
21 Plan is amended by changing the land use category of the following described property from the  
22 Alachua County land use category of “Low Density Residential (1-4 DU/acre)” to the City of  
23 Gainesville land use category of “Conservation”.

1 See legal description attached hereto as Exhibit "B", and made a part  
2 hereof as if set forth in full. For visual reference, the property is  
3 shown as Parcel 1 on the "Description Sketch" attached as Exhibit  
4 "C". In the event of conflict or inconsistency, Exhibit "B" shall  
5 prevail over Exhibit "C".  
6

7 **Section 3** The City Manager is authorized and directed to make the necessary changes in  
8 maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element, or  
9 portion thereof in order to comply with this ordinance.

10 **Section 4.** If any word, phrase, clause, paragraph, section or provision of this ordinance  
11 or the application hereof to any person or circumstance is held invalid or unconstitutional, such  
12 finding shall not affect the other provisions or applications of the ordinance which can be given  
13 effect without the invalid or unconstitutional provisions or application, and to this end the  
14 provisions of this ordinance are declared severable.

15 **Section 5.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of  
16 such conflict hereby repealed.

17 **Section 6.** This ordinance shall become effective immediately upon passage; however, the  
18 amendment to the City of Gainesville 2000-2010 Comprehensive Plan shall become effective thirty  
19 one (31) days after passage and adoption of this Ordinance unless a petition is filed with the  
20 Division of Administrative Hearings pursuant to §163.3187(3), F.S. In this event this Ordinance  
21 shall not become effective until the State Land Planning Agency issues a final order determining the  
22 adopted amendment to be in compliance in accordance with §163.3187, or until the Administration

1 Commission issues a final order determining the adopted amendment to be in compliance in  
2 accordance with §163.3187, F.S.

3 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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

9 ATTEST:

APPROVED AS TO FORM AND LEGALITY:

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12 \_\_\_\_\_  
13 Kurt Lannon  
14 Clerk of the Commission

\_\_\_\_\_  
Marion J. Radson  
City Attorney

15  
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17 This ordinance passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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22 MJR/NMS:rs  
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March 17, 2010  
Job No. 10-0090  
Prepared for: Eaglesrock International, LLC  
Parcel 2

**LEGAL DESCRIPTION:**

A parcel of land situated in Section 22, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Commence at the Northeast corner of lands described in Deed Book 370, page 69 of the Public Records of Alachua County, Florida for the POINT OF BEGINNING and thence run S.87°24'08"W., along the North line of said lands and along the South line of lands described in Deed Book 258, Page 65 of said Public Records, a distance of 416.92 feet to the Southeast corner of the Conservation Management Area as described in Official Records Book 3773, page 119 of said Public Records; Thence S.02°35'52"E., a distance of 149.21 feet to the South line of lands described in said Deed Book 370, Page 69 of the Public Records of Alachua County, Florida; thence run Easterly and Northerly along the boundaries of said lands, the following described four courses: (1) N.87°25'32"E., a distance of 224.91 feet; (2) N.05°41'11"W., a distance of 50.00 feet; (3) N.87°32'18"E., a distance of 200.09 feet; (4) N.05°41'21"W., a distance of 100.00 feet to the POINT OF BEGINNING.

Containing 1.21 acres more or less.

ALL AS SHOWN ON THE MAP  
ATTACHED HERewith AND MADE A PART HEREOF

Exhibit "A" to Ordinance 0-10-12  
(Leg. #090952)



6011 NW 1<sup>st</sup> Place  
Gainesville, Florida 32607  
Phone: (352) 331-1976  
Fax: (352) 331-2476  
www.chw-inc.com



March 17, 2010  
Job No. 10-0090  
Prepared for: Eaglesrock International, LLC  
Parcel 1

### LEGAL DESCRIPTION:

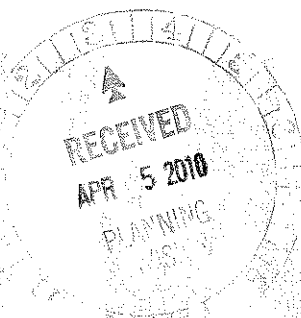
A parcel of land situated in Section 22, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Commence at the Northeast corner of lands described in Deed Book 370, page 69 of the Public Records of Alachua County, Florida and thence run S.87°24'08"W., along the North line of said lands and along the South line of lands described in Deed Book 258, Page 65 of said Public Records, a distance of 416.92 feet to the Southeast corner of the Conservation Management Area as described in Official Records Book 3773, page 119 of said Public Records and the POINT OF BEGINNING; Thence continue S.87°24'08"W., along the South line of said Conservation Management Area and along said South line of lands described in Deed Book 258, Page 65 of said Public Records, a distance of 323.64 feet to the Southwest corner of said lands described in Deed Book 258, Page 65; thence S.04°23'50"W., along the West line of the aforementioned lands described in Deed Book 370, Page 69, a distance of 150.19 feet to the Southwest corner of said lands; thence N.87°25'32"E., along the South line of said lands described in Deed Book 370, Page 69, a distance of 341.93 feet; thence N.02°35'52"W., a distance of 149.21 feet to the POINT OF BEGINNING.

Containing 1.14 acres more or less.

ALL AS SHOWN ON THE MAP  
ATTACHED HEREWITH AND MADE A PART HEREOF

Exhibit "B" to Ordinance 0-10-12  
(Leg. #090952)



6011 NW 1<sup>st</sup> Place  
Gainesville, Florida 32607  
Phone: (352) 331-1976  
Fax: (352) 331-2476  
www.chw-inc.com

Rory P. Causseaux, P.E.  
President

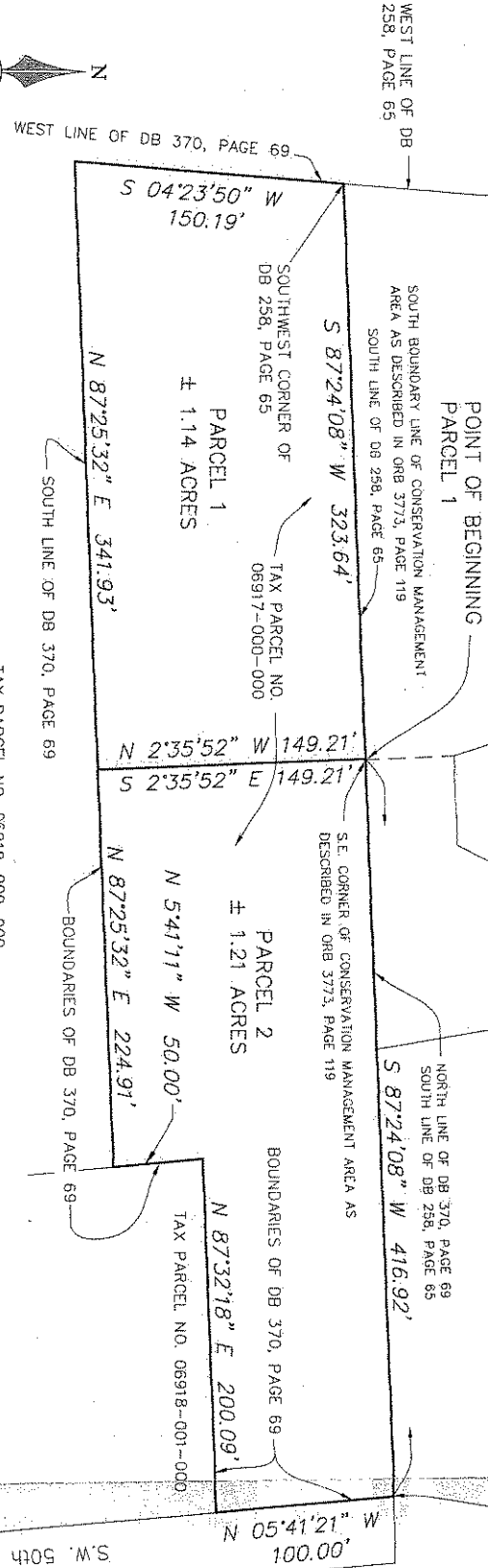
Kevin W. Hewett, P.L.S.  
Vice President - Surveying

Robert J. Walpole, P.E.  
Vice President -  
Engineering & Planning

**DESCRIPTION SKETCH**  
 LOCATED IN SECTION 15 & 22, TOWNSHIP 10 SOUTH, RANGE 19 EAST,  
 ALACHUA COUNTY, FLORIDA  
 NOT A BOUNDARY SURVEY

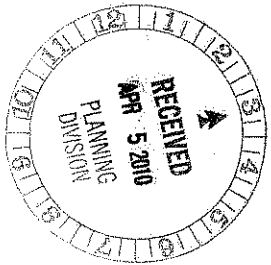
CONSERVATION MANAGEMENT AREA  
 AS PER ORB 3173, PAGE 119  
 TAX PARCEL NO. 06916-000-000

POINT OF BEGINNING - PARCEL 1  
 POINT OF COMMENCEMENT - PARCEL 1  
 NORTHEAST CORNER OF LANDS DESCRIBED  
 IN DEED BOOK 370, PAGE 69, PUBLIC  
 RECORDS OF ALACHUA COUNTY

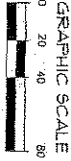


DESCRIPTIONS: SEE ATTACHED

**SURVEYOR'S NOTES**  
 The bearings, distances and data shown hereon is based on a  
 previous survey by this office under job number 09-0466, dated  
 1-25-2010.



**LEGEND OF ABBREVIATIONS**  
 ORB = OFFICIAL RECORDS BOOK  
 DB = DEED BOOK



TECHNICIAN:	KTM
DRAWN BY:	CHW
CHECKED BY:	SAH
FIELD BOOK & PAGE:	N/A
SCALE:	1" = 60'

CERTIFIED TO:  
**EAGLESTOCK INTERNATIONAL, LLC**

**Causseaux, Hewett, & Walpole, Inc.**  
 Engineering • Surveying • Planning  
 6011 NW 1st Place, Gainesville, Florida 32607  
 Phone: (352) 331-1976 • Fax: (352) 331-2476 • www.chw-inc.com  
 LB-5075

STAGE: \_\_\_\_\_  
 SURVEY DATE: 3-17-2010  
 REVISION DATE: \_\_\_\_\_  
 PROJECT NUMBER: 10-0090

This map prepared by:  
 Certificate of Authorization No. LB-5076  
 NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

**Exhibit "C" to Ordinance 0-10-12  
 (Leg.#606052)**