

Legislative #

110417-A

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11/15/2011

ORDINANCE NO. 110417

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4 **An ordinance of the City of Gainesville, Florida, amending the Zoning**
5 **Map Atlas and rezoning 4 parcels of land located in the vicinity of SW**
6 **34th Street on the East, SW 43rd Street on the West and north of**
7 **Windmeadows Boulevard. and on the North side of SW 20th Avenue;**
8 **consisting of approximately 3.76 acres in the aggregate; from the**
9 **Alachua County zoning categories of “Manufactured mobile home**
10 **park (RM) district” and “Multiple family high density (R-3) district”**
11 **to the City of Gainesville zoning category of “PS: Public services and**
12 **operations district”; to allow utilities as defined in Section 30-23 of the**
13 **Land Development Code; excepting the requirement of preliminary**
14 **development plans; providing conditions on certain properties;**
15 **providing directions to the City Manager; adopting a certain finding;**
16 **providing a severability clause; providing a repealing clause; and**
17 **providing an immediate effective date.**
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19

20 **WHEREAS,** publication of notice of a public hearing was given that the Zoning Map
21 Atlas be amended by rezoning certain properties from the Alachua County zoning categories of
22 “Manufactured mobile home park (RM) district” and “Multiple family high density (R-3)
23 district” to the City of Gainesville zoning category of “PS: Public services and operations
24 district”; and

25 **WHEREAS,** notice was given and publication made as required by law and a public
26 hearing was held by the City Plan Board on August 25, 2011; and

27 **WHEREAS,** the City Commission finds that the rezoning of the properties described
28 herein is consistent with the City of Gainesville Comprehensive Plan; and

29 **WHEREAS,** at least ten (10) days notice has been given of the public hearing once by
30 publication in a newspaper of general circulation notifying the public of this proposed ordinance

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1 and of a public hearing in the City Commission meeting room, First Floor, City Hall, in the City
2 of Gainesville; and

3 **WHEREAS**, pursuant to law, notice has also been given by mail to the owner whose
4 property will be regulated by the adoption of this Ordinance, at least thirty days prior to the date
5 set for a public hearing on this ordinance; and

6 **WHEREAS**, Public Hearings were held pursuant to the published and mailed notices
7 described above at which hearings the parties in interest and all others had an opportunity to be and
8 were, in fact, heard.

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

11 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
12 following described property from the Alachua County zoning category of "Manufactured
13 mobile home park (RM)" to the City of Gainesville zoning category of "PS: Public services and
14 operations district", on Tax Parcel No. 06745-002-001, as more specifically described below:

15 See legal description of Tax Parcel No. 06745-002-001, attached hereto as
16 Exhibit "A" and made a part hereof as if set forth in full.

17
18 **Section 2.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
19 following described properties from the Alachua County zoning category of "Multiple family
20 high density (R-3) district" to the City of Gainesville zoning category of "PS: Public services
21 and operations district", on Tax Parcel No. 06704-001-000, as more specifically described
22 below:

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1 Development Code.

2 **Section 7.** All development on the properties described in Section 4 (Tax Parcel Nos.
3 06748-000-000 and 06750-001-000) of this Ordinance that exceed the thresholds of Sec. 30-343
4 of the Land Development Code shall be developed with the following dimensional setback
5 requirements:

6 Front: Ten feet

7 Side: Ten feet

8 Side interior: zero, except where the side yard abuts property which would allow for residential
9 use 10 feet or the 45 degree angle of light obstruction, whichever is greater.

10 Rear: zero, except where the side yard abuts property which would allow for residential use 10
11 feet or the 45 degree angle of light obstruction, whichever is greater.

12
13 **Section 8.** The City Manager is authorized and directed to make the necessary changes
14 in the Zoning Map to comply with this Ordinance.

15 **Section 9.** The City Commission finds that the rezoning of the property described in
16 Section 1 of this Ordinance shall not result in the removal or relocation of mobile home owners,
17 as there are no residents living on these parcels as of the date of the final adoption of this
18 ordinance.

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

24 **Section 11.** All ordinances, or parts of ordinances, in conflict herewith are to the extent

Parcel: 06745-002-001

COM SW COR SEC N ALONG W LINE SEC 2170.49 FT TO N R/W COUNTY RD SW-30 5.54 DEG 23 MIN 42
SEC E 156.83 FT TO PC OF CURVE SE/LY ALONG CURVE 316.59 FT POB CONT SE/LY 81.04 FT N 129.95 FT
W 70 FT S 90 FT POB OR 720/167

Parcel: 06704-001-000

COM SE COR SEC S 89 DEG 19 MIN 35 SEC W 662.14 FT N 00 DEG 45 MIN 46 SEC W 314.71 FT S 89 DEG
18 MIN 19 SEC W 210.03 FT N 00 DEG 38 MIN 58 SEC W 105.33 FT N 26 DEG 05 MIN 13 SEC W 23.27 FT
POB N 00 DEG 35 MIN 16 SEC W 50 FT N 89 DEG 24 MIN 44 SEC E 50 FT S 00 DEG 35 MIN 16 SEC E 50 FT S
89 DEG 24 MIN 44 SEC W 50 FT POB LIFT STATION DEED APPEARS IN ERROR PER OR 2341/2464

Parcel: 06810-005-002

COM NW COR SEC E 2441.21 FT S 1250.54 FT POB E 50 FT S 60 FT W 50 FT N 60 FT POB OR 1646/1444
LIFT STATION

Parcel: 06748-000-000

N 210 FT OF S 420 FT OF E 210 FT OF LOT 8 AS PER OR 818/15 OR 1814/1211-1216

Parcel: 06750-001-000

COM SW COR SEC E 301.90 FT POB N 420 FT E 150 FT S 210 FT E 210 FT S 210 FT W 360 FT POB OR
1814/1200

EXHIBIT "A"