

ORDINANCE NO. 050913
0-06-49

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4 **An ordinance amending the City of Gainesville 2000-2010**
5 **Comprehensive Plan, Future Land Use Map; by changing the**
6 **land use category of certain property from “Residential**
7 **Medium-Density (8-30 units per acre)” to “Recreation”; located**
8 **in the vicinity of 2611 Southwest 31st Place; providing a**
9 **severability clause; providing a repealing clause; and providing**
10 **an effective date.**

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13 **WHEREAS**, by initiation of a petition by the property owner, publication of notice of a
14 public hearing was given that the Future Land Use Map be amended by changing the land use
15 category of certain property from “Residential Medium-Density (8-30 units per acre)” to
16 “Recreation”; and

17 **WHEREAS**, notice was given and publication made as required by law and a public
18 hearing was held by the City Plan Board on March 16, 2006; and

19 **WHEREAS**, the amendment to the land use category of the City of Gainesville 2000-2010
20 Comprehensive Plan proposed herein directly relates to a small scale development activity as
21 provided in Chapter 163, Florida Statutes; the City of Gainesville will transmit copies of the public
22 notice and this proposed change to the State Land Planning Agency, the regional planning council,
23 and any other person or entity who has requested a copy for their comments subsequent to the
24 passage of this ordinance; and

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

1 and of a Public Hearing in the City Commission meeting room, First Floor, City Hall in the City of
2 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, thirty days prior to the date set for a
5 public hearing on this ordinance; and

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

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

11 **Section 1.** The Future Land Use Maps of the City of Gainesville 2000-2010
12 Comprehensive Plan are amended by changing the land use category of the following described
13 property from “Residential Medium-Density (8-30 units per acre)” to “Recreation”:

14 See legal description attached hereto as Exhibit "A", and made a part
15 hereof as if set forth in full.

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17 **Section 2.** The City Manager is authorized and directed to make the necessary changes in
18 maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element, or
19 portion thereof in order to comply with this ordinance.

20 **Section 3.** If any section, sentence, clause or phrase of this ordinance is held to be invalid
21 or unconstitutional by any court of competent jurisdiction then said holding shall in no way affect
22 the validity of the remaining portions of this ordinance.

1 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
2 such conflict hereby repealed.

3 **Section 5.** This ordinance shall become effective immediately upon passage; however, the
4 amendment to the City of Gainesville 2000-2010 Comprehensive Plan shall become effective thirty
5 one (31) days after passage and adoption of this Ordinance unless a petition is filed with the
6 Division of Administrative Hearings pursuant to § 163.3187(3), F.S. In this event this Ordinance
7 shall not become effective until the state land planning agency issues a final order determining the
8 adopted amendment to be in compliance in accordance with § 163.3187, or until the Administration
9 Commission issues a final order determining the adopted amendment to be in compliance in
10 accordance with § 163.3187, F.S.


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


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PEGEEN HANRAHAN, MAYOR

16 ATTEST:

APPROVED AS TO FORM AND LEGALITY:

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KURT LANNON,
21 CLERK OF THE COMMISSION


MARION J. RADSON, CITY ATTORNEY

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

JUN 27 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.