



MEMORANDUM

Office of the City Attorney

Phone: 334-5011/Fax 334-2229
Box 46

TO: Mayor and City Commission

DATE: September 24, 2001
~~September 10, 2001~~

FROM: City Attorney

SECOND READING
FIRST READING

SUBJECT: **Ordinance No. 0-01-33, Petition No. 44ZON-01PB**
An Ordinance of the City of Gainesville, Florida; rezoning certain lands within the City and amending the Zoning Map Atlas from the zoning category of "RMF-5: 12 units/acre single-family/multiple-family residential district" to "RC: 12 units/acre residential conservation district"; consisting of approximately 61 parcels in the Lake Meta area; and located in the vicinity of the 1900 to 2300 blocks of Northwest 7th Street, Northwest 7th Terrace and Northwest 8th Court; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Recommendation: The City Commission adopt the proposed ordinance.

The City Commission, at its meeting of July 9, 2001 authorized the city attorney's office to prepare and advertise the necessary ordinance rezoning certain lands within the City of Gainesville.

Prepared and Submitted by:


Marion J. Radson, City Attorney

MJR/afm

Attachment

Passed on first reading by a vote of 5-0.

D R A F T

06/27/01

ORDINANCE NO. _____
0-01-33

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4 **An Ordinance of the City of Gainesville, Florida; rezoning**
5 **certain lands within the City and amending the Zoning Map**
6 **Atlas from the zoning category of "RMF-5: 12 units/acre single-**
7 **family/multiple-family residential district" to "RC: 12**
8 **units/acre residential conservation district"; consisting of**
9 **approximately 61 parcels in the Lake Meta area; and located in**
10 **the vicinity of the 1900 to 2300 blocks of Northwest 7th Street,**
11 **Northwest 7th Terrace and Northwest 8th Court; providing a**
12 **severability clause; providing a repealing clause; and providing**
13 **an immediate effective date.**

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16 **WHEREAS,** the City Commission authorized the publication of notice of a Public Hearing
17 that certain lands within the City be rezoned from the zoning category of "RMF-5: 12 units/acre
18 single-family/multiple-family residential district" to "RC: 12 units/acre residential conservation
19 district", as more specifically described in this Ordinance; and

20 **WHEREAS,** notice was given and publication made as required by law of a Public Hearing
21 which was held by the City Plan Board on May 17, 2001; and

22 **WHEREAS,** notice was given and publication made of a Public Hearing which was then
23 held by the City Commission on July 9, 2001; and

24 **WHEREAS,** pursuant to law, an advertisement no less than two columns wide by 10
25 inches long was placed in a newspaper of general circulation and of the Public Hearing to be held in
26 the City Commission Meeting Room, First Floor, City Hall, in the City of Gainesville at least seven
27 (7) days after the day the first advertisement was published; and

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1 **WHEREAS**, a second advertisement no less than two columns wide by 10 inches long was
2 place 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 at which hearings the parties in interest and all others had an opportunity to be and were,
6 in fact, heard.

7 **WHEREAS**, the City Commission finds that the amendment of the Planned Development
8 as provided in this Ordinance is consistent with the City of Gainesville 1991-2001 Comprehensive
9 Plan.

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

12 **Section 1.** The following described properties are rezoned from the zoning category of
13 "RMF-5: 12 units/acre single-family/multiple-family residential district" to the zoning category of
14 "RC: 12 units/acre residential conservation district":

15 See "Exhibit A" attached hereto and made a part hereof as if set forth
16 in full.

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18 **Section 2.** The City Manager is authorized and directed to make the necessary change in the
19 Zoning Map Atlas to comply with this Ordinance.

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06/27/01

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

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

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

8 **PASSED AND ADOPTED** this ___ day of _____, 2001.

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Thomas D. Bussing, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

Kurt Lannon,
Clerk of the Commission

Marion J. Radson, City Attorney

This ordinance passed on first reading this _____ day of _____, 2001.

This ordinance passed on second reading this _____ day of _____, 2001.

LEGAL DESCRIPTION FOR PETITION # 44ZON-01PB

An area of land lying in the Northwest one-quarter (NW ¼) of Section 32, Township 9 South, Range 20 East in Alachua County, Florida, being more particularly described as follows:

Lots 3 – 13 (inclusive) of Felton Court, a plat as recorded in Plat Book "D", page 30 of the Public Records of Alachua County, Florida; AND Lots 3 – 11 (inclusive) of Block A of Pine Park, a plat as recorded in Plat Book "B", page 99 of the Public Records of Alachua County, Florida; AND the west 49.6 feet of Lots 1 and 2 of said Block "A"; AND all of Block B, C, E and F of said plat of Pine Park; AND Lots 8 – 14 (inclusive) of Block D of said Pine Park; AND Lots 7 – 12 (inclusive) of Block G of said Pine Park; AND Lots 3 – 11 (inclusive) of Block H of said Pine Park; AND that area of land lying south of Lots 3 – 11 (inclusive) of Block H of said Pine Park, said area being bordered on the south by the north right-of-way line of N.W. 19th Lane; AND the west 35 feet of Lots 16 and 17 of Gateway Park, a plat as recorded in Plat Book "B", page 38, of the Public Records of Alachua County, Florida; AND Lots 18 – 20 (inclusive), AND Lots 24 – 28 (inclusive), AND that portion of N.W. 7th Street lying between Lots 20 and 24 of said plat of Gateway Park.

All being and lying in the City of Gainesville, Florida.



