

D R A F T

8/10/2010

ORDINANCE NO. 100146

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3 **An ordinance of the City of Gainesville, Florida, amending the Zoning**
4 **Map Atlas and rezoning certain property within the City, as more**
5 **specifically described in this Ordinance, from the zoning category of**
6 **“RSF-1: 3.5 units/acre single-family residential district” to “CON:**
7 **Conservation district”;** located in the vicinity of southeast of the
8 **intersection of Northwest 34th Street and Northwest 8th Avenue;**
9 **providing a severability clause; providing a repealing clause; and**
10 **providing an effective date.**

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13 **WHEREAS,** publication of notice of a public hearing was given that the Zoning Map
14 Atlas be amended by rezoning certain property within the City from the zoning category of “RSF-
15 1: 3.5 units/acre single-family residential district” to “CON: Conservation district”; and

16 **WHEREAS,** notice was given and publication made as required by law and a public
17 hearing was held by the City Plan Board on May 27, 2010; and

18 **WHEREAS,** the City Commission finds that the rezoning of the property described herein
19 will be consistent with the City of Gainesville 2000-2010 Comprehensive Plan upon the adoption
20 of City of Gainesville Ordinance No. 100145; and

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

25 **WHEREAS,** pursuant to law, notice has also been given by mail to the owner whose
26 property will be regulated by the adoption of this Ordinance, at least thirty days prior to the date

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1 set for a public hearing on this ordinance; and

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

5 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
6 **CITY OF GAINESVILLE, FLORIDA:**

7 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
8 following described property from the zoning category of “RSF-1: 3.5 units/acre single-family
9 residential district” to “CON: Conservation district”:

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

12 **Section 2.** The City Manager is authorized and directed to make the necessary changes in
13 the Zoning Map to comply with this Ordinance.

14 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance
15 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
16 finding shall not affect the other provisions or applications of the ordinance which can be given
17 effect without the invalid or unconstitutional provisions or application, and to this end the
18 provisions of this ordinance are declared severable.

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

21 **Section 5.** This ordinance shall become effective immediately upon final adoption;
22 however, the rezoning shall not become effective until the amendment to the City of Gainesville

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1 2000-2010 Comprehensive Plan adopted by Ordinance No. 100145 becomes effective as provided
2 therein.

3 **PASSED AND ADOPTED** this _____ day of _____, 2010.

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6 _____
7 CRAIG LOWE, MAYOR

8 ATTEST: APPROVED AS TO FORM AND LEGALITY:

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10
11
12 _____ By: _____
13 KURT LANNON, MARION J. RADSON, CITY ATTORNEY
14 CLERK OF THE COMMISSION

15
16
17 This ordinance passed this _____ day of _____, 2010.
18

A parcel of land in Section 1, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Commence at the northeasterly corner of Lot 1 of WOODLAND TERRACE, UNIT NO. 3, as per plat recorded in Plat Book "E", page 47 of the public records of Alachua County, Florida, said point being on the southerly right of way line of NW 8th Avenue (100' wide right of way) and the northwesterly corner of the "Hodge tract" as per description recorded in Official Record Book 1085, page 148 of said public records; thence North 90° 00' 00" East along the north line of said "Hodge tract" and along said southerly right of way line for 49.41 feet to the POINT OF BEGINNING; thence continue North 90° 00' 00" East along said southerly right of way line and along the north line of said "Hodge tract" for 100.59 feet to the northeast corner of said "Hodge tract"; thence South 00° 24' 00" West along the easterly line of said "Hodge tract" for 525.22 feet to the southeast corner of said "Hodge tract"; thence South 90° 00' 00" West along the south line of said "Hodge tract" for 150.00 feet to the southwest corner of said "Hodge tract", said southwest corner being at the termination of the centerline of NW 7th Avenue on the east line of said WOODLAND TERRACE, UNIT NO. 3; thence North 00° 24' 00" East along said east line and along the westerly line of said "Hodge tract" for 25.00 feet to the southeast corner of Lot 5 of said WOODLAND TERRACE, UNIT NO. 3, thence South 89° 53' 50" East along the easterly extension of the south line of said Lot 5 for 32.70 feet; thence North 02° 18' 45" East for 500.67 feet to said POINT OF BEGINNING.

EXHIBIT "A"