

LEGISLATIVE #

150306A

ORDINANCE NO. 150306

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3 **An ordinance amending the Zoning Map Atlas of the City of Gainesville,**
4 **Florida, by rezoning approximately 2.84 acres of property generally located at**
5 **5021 and 4911 W University Avenue, as more specifically described in this**
6 **ordinance, from Conservation (CON) to Single-Family Residential District**
7 **(RSF-1); providing directions to the City Manager; providing a severability**
8 **clause; providing a repealing clause; and providing an effective date.**
9

10 **WHEREAS,** notice was given as required by law that the Zoning Map Atlas of the City
11 of Gainesville, Florida, be amended by rezoning the subject property from Conservation (CON)
12 to Single-Family Residential District (RSF-1); and

13 **WHEREAS,** the City Plan Board, which acts as the local planning agency pursuant to
14 Section 163.3174, Florida Statutes, held a public hearing on August 27, 2015, and voted to
15 recommend that the City Commission approve this rezoning; and

16 **WHEREAS,** at least ten (10) days' notice has been given once by publication in a
17 newspaper of general circulation notifying the public of this proposed ordinance and of a public
18 hearing in the City Hall Auditorium located on the first floor of City Hall in the City of Gainesville;
19 and

20 **WHEREAS,** at least thirty (30) days' notice has been given by mail to each real property
21 owner whose land will be redesignated by enactment of this ordinance and whose address is
22 known by reference to the latest ad valorem tax records, notifying such property owners of this
23 proposed ordinance and of a public hearing in the City Hall Auditorium located on the first floor
24 of City Hall in the City of Gainesville; and

25 **WHEREAS,** the public hearing was held pursuant to the notice described above at which
26 hearing the parties in interest and all others had an opportunity to be and were, in fact, heard; and

27 **WHEREAS,** the City Commission finds that the rezoning of the property described
28 herein will be consistent with the City of Gainesville Comprehensive Plan when the amendment

1 to the Comprehensive Plan adopted by Ordinance No. 150305 becomes effective as provided
2 therein.

3 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
4 **CITY OF GAINESVILLE, FLORIDA:**

5 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
6 following property from Conservation (CON) to Single-Family Residential District (RSF-1):

7 See legal description attached as Exhibit "A" and made a part hereof
8 as if set forth in full. The location of the property is shown on Exhibit
9 "B" for visual reference. In the event of conflict or inconsistency,
10 Exhibit "A" shall prevail over Exhibit "B".
11

12 **Section 2.** The City Manager or designee is authorized and directed to make the
13 necessary changes to the Zoning Map Atlas 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 this ordinance that can be given
17 effect without the invalid or unconstitutional provision 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 adoption; however,
22 the rezoning of the subject property shall not become effective until the amendment to the City
23 of Gainesville Comprehensive Plan adopted by Ordinance No. 150305 becomes effective as
24 provided therein.

25 **PASSED AND ADOPTED** this _____ day of _____, 2015.
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EDWARD B. BRADDY
MAYOR

Attest:

Approved as to form and legality:

By: _____
KURT LANNON
CLERK OF THE COMMISSION

By: _____
NICOLLE M. SHALLEY
CITY ATTORNEY

This ordinance passed on first reading this _____ day of _____, 2015.

Commence at the Northwest corner of the Southeast Quarter of Section 3, Township 10 South, Range 19 East; thence East along the Quarter Section line 319.2 feet; thence South 50 feet to the Point of Beginning; thence East 366 feet; thence South 210 feet; thence Westerly 370 feet to a point on the Northerly edge of Grassie Prairie 145 feet South of the Point of Beginning; thence North 145 feet to the Point of Beginning. Above described parcel of land lying and being in the Southeast Quarter of Section 3, Township 10 South, range 19 East, Alachua County, Florida. Also being described as lot 8 according to an unrecorded survey of Gwynn Oaks Subdivision Addition No. 1, dated 6 February 1955, prepared by Roy L. Watkins (Fla. Cert. No. 770).

Beginning at the NW corner of the SE 1/4 of Section 3, Township 10 South, Range 19 East; thence West along the quarter section line a distance of 80.8 feet; thence South a distance of 50 feet to the Point of Beginning; thence continue South a distance of 100 feet; thence from the Point of Beginning go East paralleling the quarter section line a distance of 400 feet; thence South a distance of 145 feet; thence Westerly a distance of 400 feet to the South end of the first line from the Point of Beginning. Above described parcel of land lying and being in the NW 1/4 of SE 1/4 (NW 1/4 of SE 1/4) and NE 1/4 of SW 1/4 (NE 1/4 of SW 1/4) of Section 3, Township 10 South, Range 19 East, Alachua County, Florida.

Together with that certain easement for ingress and egress more particularly described as follows:

Easement Description:

An easement to the parties of the second part, their successors, assignees and invitees, for ingress and egress over the following described property:

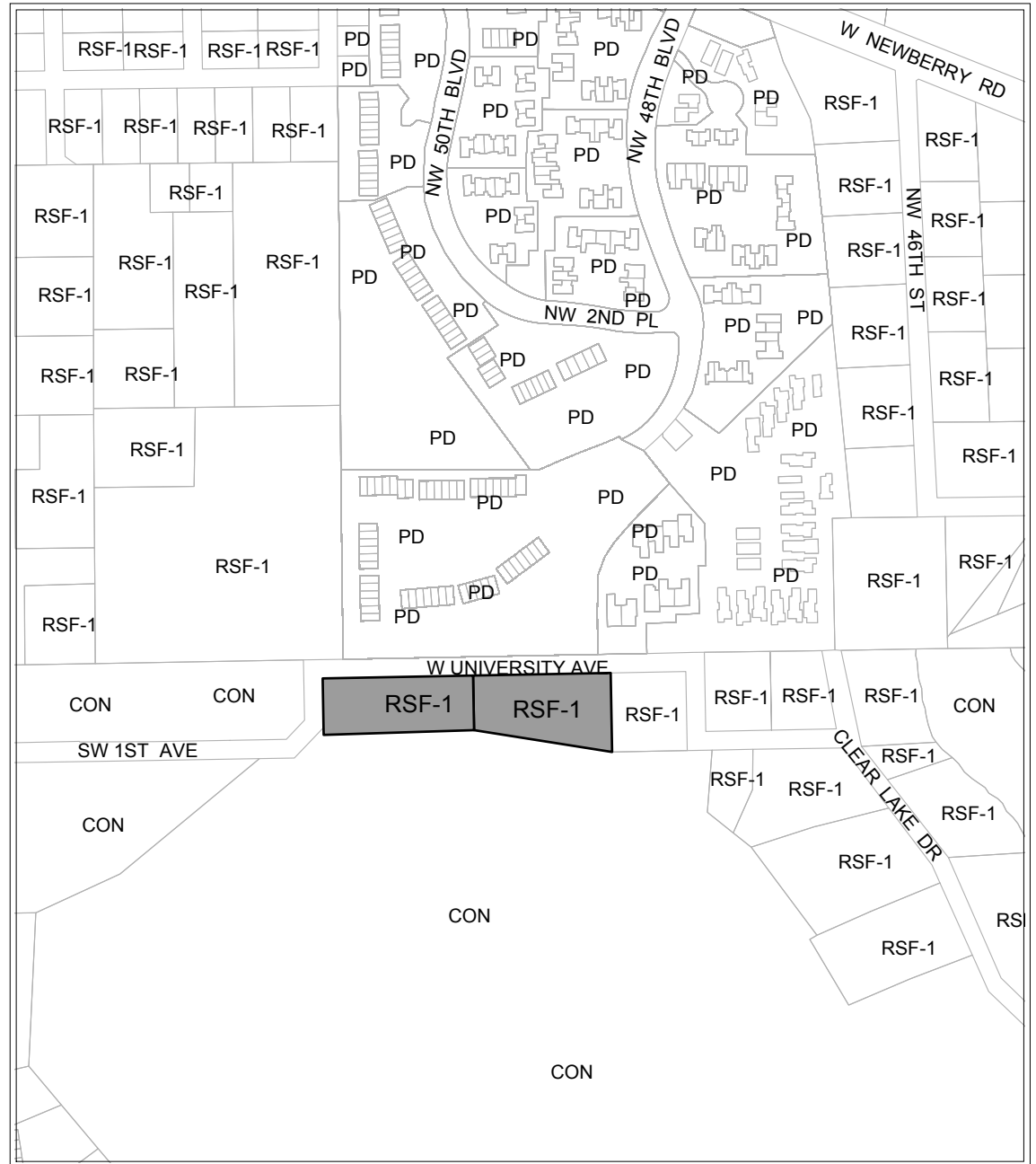
Commence at the NW corner of the SE 1/4 of Section 3, Township 10 South, Range 19 East, said point being the Point of Beginning; thence East along the quarter section line 935.2 feet; thence South 210 feet; thence East 385 feet; thence S. 11°45' E. 50.7 feet; thence West 444.6 feet; thence North 210 feet; thence West 885.2 feet; thence North 50 feet to the Point of Beginning.

ALSO:

Commence at the NW corner of SE 1/4 of Section 3, Township 10 South, Range 19 East; thence West 130.8 feet; thence South 180 feet; thence South 46° W. 70.4 feet; thence S. 43°53'51" E. 75.42 feet; thence N. 38° E. 80 feet; thence North 150 feet; thence East 80.8 feet; thence North 50 feet to the Point of Beginning. Above described road lying and being in the NW 1/4 of the SE 1/4 and the NE 1/4 of the SW 1/4 of Section 3, Township 10 South, Range 19 East, Alachua County, Florida.

City of Gainesville Zoning Districts

RSF-1 Single-Family Residential (3.5 du/acre)
 PD Planned Development
 CON Conservation



Area
under petition
consideration

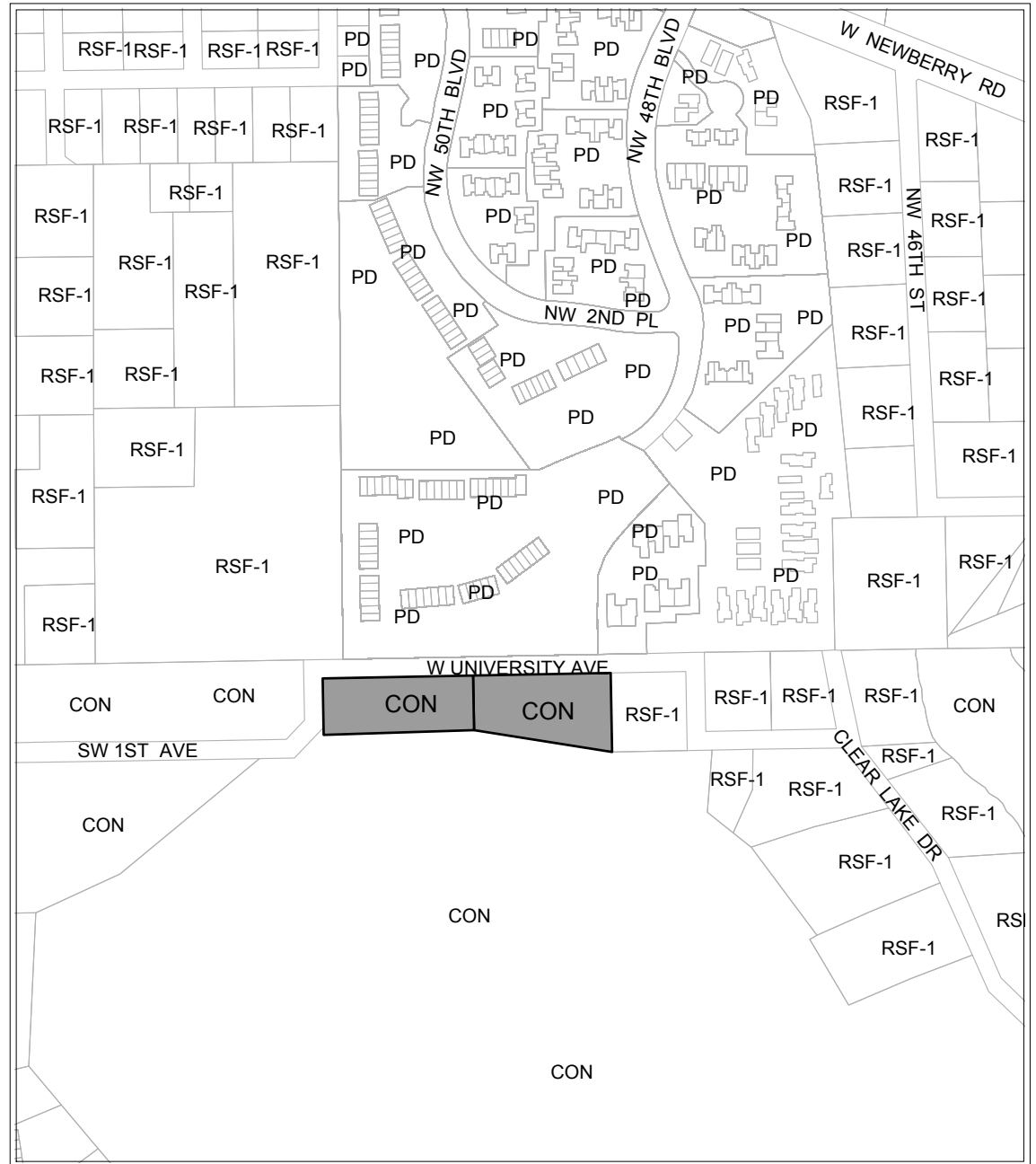


PROPOSED ZONING

	Name	Petition Request	Petition Number
	City Plan Board, applicant	Rezone property from Conservation to RSF-1: 3.5 units/acre single-family residential district	PB-15-74 ZON

City of Gainesville Zoning Districts


RSF-1 Single-Family Residential (3.5 du/acre)
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EXISTING ZONING

	Name	Petition Request	Petition Number
 No Scale	City Plan Board, applicant	Rezone property from Conservation to RSF-1: 3.5 units/acre single-family residential district	PB-15-74 ZON