

ORDINANCE NO. 041051
0-05-43

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain properties annexed into the City from the Alachua County zoning category of “R-1a, single-family, low density (one to four dwelling units per acre)” to the City of Gainesville zoning category of “RSF-1: 3.5 units/acre single-family residential district”; located in the vicinity of the south side of SW 24th Avenue, west of I-75 and east of Tower Road; consisting of approximately 34 acres; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, publication of notice of a public hearing was given that the Zoning Map Atlas be amended by rezoning certain properties, as more specifically described herein, annexed into the City be rezoned from the Alachua County zoning category of “R-1a, single-family, low density (one to four dwelling units per acre)” to the City of Gainesville zoning category of “RSF-1: 3.5 units/acre single-family residential district”; and

WHEREAS, notice was given and publication made as required by law and a public hearing was held by the City Plan Board on March 17, 2005; and

WHEREAS, the City Commission finds that the rezoning of the properties described herein will be consistent with the City of Gainesville 2000-2010 Comprehensive Plan; and

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

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

7 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
8 **CITY OF GAINESVILLE, FLORIDA:**

9 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
10 following described properties from the Alachua County zoning category of “R-1a, single-family,
11 low density (one to four dwelling units per acre)” to the City of Gainesville zoning category of
12 “RSF-1: 3.5 units/acre single-family residential district”:

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

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

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

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

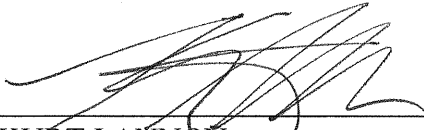
22 **Section 5.** This ordinance shall become effective immediately upon final adoption;
23 however, the rezoning shall not become effective until the amendment to the City of Gainesville


1 2000-2010 Comprehensive Plan adopted by Ordinance No. 041050 becomes effective as
2 provided therein..

3 **PASSED AND ADOPTED** this 28th day of November, 2005.

4
5 
6 _____
7 Pegeen Hanrahan, Mayor

8 ATTEST: Approved as to form and legality:

9
10 
11 _____
12 KURT LANNON,
13 CLERK OF THE COMMISSION

14 By: 
15 _____
16 MARION J. RADSON, CITY ATTORNEY
17 NOV 29 2005

18 This ordinance passed on first reading this 14th day of November, 2005.

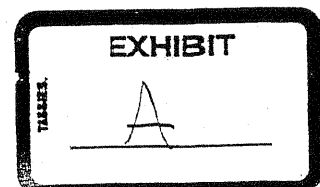
19 This ordinance passed on second reading this 28th day of November, 2005.

20
21 H:\Marion Radson\Planning\17ZONpet.DOC

DESCRIPTION FOR PORTOFINO AS PER OFFICIAL RECORDS BOOK 2829, PAGE 1293, ET SEQ.

A PARCEL OF LAND SITUATED IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 9; THENCE SOUTH $88^{\circ}57'51''$ WEST, ALONG THE SOUTH BOUNDARY OF SAID SECTION 9, A DISTANCE OF 2630.04 FEET TO THE INTERSECTION WITH THE EAST BOUNDARY OF A 15' X 15' EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 1093, PAGE 740 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE FOLLOWING THE BOUNDARY OF SAID EASEMENT NORTH $01^{\circ}04'12''$ WEST, A DISTANCE OF 15.00 FEET; THENCE SOUTH $88^{\circ}57'51''$ WEST, A DISTANCE OF 15.00 FEET TO THE INTERSECTION WITH THE BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1589, PAGES 201 THROUGH 202 OF SAID PUBLIC RECORDS; THENCE NORTH $01^{\circ}04'12''$ WEST, ALONG THE BOUNDARY OF SAID LANDS, A DISTANCE OF 632.54 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE BOUNDARY OF SAID LANDS NORTH $01^{\circ}04'12''$ WEST, A DISTANCE OF 87.46 FEET; THENCE CONTINUE ALONG THE BOUNDARY OF SAID LANDS NORTH $64^{\circ}37'41''$ WEST, A DISTANCE OF 360.69 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD SW 30 (A.K.A. SW 24TH AVE) (RIGHT-OF-WAY WIDTH VARIES), SAID POINT BEING ON A NON-TANGENT CURVE TO THE LEFT, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1959.86 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE NORTH $27^{\circ}49'20''$ EAST, 166.86 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF $04^{\circ}52'46''$, AN ARC DISTANCE OF 166.91 FEET TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG SAID EASTERLY RIGHT-OF-WAY LINE NORTH $25^{\circ}23'02''$ EAST, A DISTANCE OF 1465.38 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1859.86 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH $42^{\circ}26'55''$ EAST, 1091.56 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF $34^{\circ}07'37''$, AN ARC DISTANCE OF 1107.86 FEET TO THE END OF SAID CURVE; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE SOUTH $30^{\circ}29'37''$ EAST, A DISTANCE OF 550.00 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1309.86 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH $42^{\circ}26'58''$ WEST, 768.80 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $34^{\circ}07'46''$, AN ARC DISTANCE OF 780.29 FEET TO THE POINT OF TANGENCY; THENCE SOUTH $25^{\circ}23'02''$ WEST, A DISTANCE OF 1632.01 FEET; THENCE SOUTH $88^{\circ}55'48''$ WEST, A DISTANCE OF 175.86 FEET TO THE POINT OF BEGINNING.



041051



CITY OF GAINESVILLE

Clerk of the Commission

I hereby certify that a true record of this ordinance was made by me in

Ordinance Book No. _____ on this 1 day of

December, 2005.

A handwritten signature in black ink, appearing to read "Kurt M. Lannon, Jr.", is written over a horizontal line.

Kurt M. Lannon, Jr.
Clerk of the Commission