



MEMORANDUM

Office of the City Attorney

LEGISLATIVE ITEM NO. 991039

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TO: Mayor and City Commissioners

DATE: April 24, 2000

FROM: Marion J. Radson, City Attorney

**CITY ATTORNEY
SECOND READING**

SUBJECT: Ordinance No. 0-00-46, Petition No. 11SVA-00PB

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close an area comprising of approximately 3 feet by 52.15 feet on Northwest Fourth Avenue, located in the vicinity of 322 Northwest Eighth Street; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Recommendation: The City Commission adopt the proposed ordinance.

STAFF REPORT

This is a petition requesting the City to vacate a 3-foot by 52.15-foot portion of Northwest Fourth Avenue. At the present time, a portion of the house situated at 322 Northwest Eighth Street is built in the City's right-of-way. The proposed street vacation would allow the addition of 157 square feet to the existing lot and would thereby allow the entire house to be within the new property line. The house was constructed in the 1930s.

The petition is asking for 3 feet of right-of-way to be closed for the length of the property. The public has not had use of this right-of-way because the house is located in this portion of the right-of-way. The street is currently open to travel and will continue to be open to travel if the petition is approved. This property lies within the Northwest 5th Avenue/Pleasant Street Redevelopment District. The Redevelopment Advisory Board has found this petition consistent with the redevelopment plan.

The Plan Board reviewed the petition and recommends approval.

Public notice was published in the Gainesville Sun on February 1, 2000. Letters were mailed to property owners on February 2, 2000. The Plan Board held a public hearing February 17, 2000. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 11SVA-00PB. Plan Board vote 6-0.

Ordinance prepared and submitted by: _____


Marion J. Radson, City Attorney

MJR/afm

Passed on first reading on 4/10/00 by a vote of 5-0.