

ORDINANCE NO. _____
0-10-12

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4 **An ordinance amending the City of Gainesville 2000-2010**
5 **Comprehensive Plan Future Land Use Map; by changing the land use**
6 **category of certain property located at 4123 Southwest 50th Street and**
7 **more specifically described in this ordinance from the Alachua County**
8 **land use category of “Low Density Residential (1-4 DU/acre)” to the**
9 **City of Gainesville land use categories of “Residential Low-Density (up**
10 **to 12 units per acre)” and “Conservation”; providing a severability**
11 **clause; providing a repealing clause; and providing an effective date.**

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15 **WHEREAS**, by initiation of a petition by the property owner, publication of notice of a
16 public hearing was given that the Future Land Use Map be amended by changing the land use
17 category of certain properties from the Alachua County land use category of “Low Density
18 Residential (1-4 DU/acre)” to the City of Gainesville land use categories of “Residential Low-
19 Density (up to 12 units per acre)”; and “Conservation”;

20 **WHEREAS**, notice was given and publication made as required by law and a public
21 hearing was held by the City Plan Board on February 1, 2010; and

22 **WHEREAS**, the amendment to the Future Land Use Map of the City of Gainesville 2000-
23 2010 Comprehensive Plan proposed herein directly relates to a small scale development activity as
24 provided in Chapter 163, Florida Statutes; and

25 **WHEREAS**, the City of Gainesville will transmit copies of the public notice and this
26 proposed ordinance to the State Land Planning Agency, the regional planning council, and any
27 other person or entity who has requested a copy; and

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

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

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

10 **Section 1.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
11 Plan is amended by changing the land use category of the following described property from the
12 Alachua County land use category of “Low Density Residential (1-4 DU/acre)” to the City of
13 Gainesville land use category of “Residential Low-Density (up to 12 units per acre)”.

14 See legal description attached hereto as Exhibit "A", and made a part
15 hereof as if set forth in full. For visual reference, the property is
16 shown as Parcel 2 on the “Description Sketch” attached as Exhibit
17 “C”. In the event of conflict or inconsistency, Exhibit “A” shall
18 prevail over Exhibit “C”.

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20 **Section 2.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
21 Plan is amended by changing the land use category of the following described property from the
22 Alachua County land use category of “Low Density Residential (1-4 DU/acre)” to the City of
23 Gainesville land use category of “Conservation”.

1 See legal description attached hereto as Exhibit "B", and made a part
2 hereof as if set forth in full. For visual reference, the property is
3 shown as Parcel 1 on the "Description Sketch" attached as Exhibit
4 "C". In the event of conflict or inconsistency, Exhibit "B" shall
5 prevail over Exhibit "C".
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7 **Section 3** The City Manager is authorized and directed to make the necessary changes in
8 maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element, or
9 portion thereof in order to comply with this ordinance.

10 **Section 4.** If any word, phrase, clause, paragraph, section or provision of this ordinance
11 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
12 finding shall not affect the other provisions or applications of the ordinance which can be given
13 effect without the invalid or unconstitutional provisions or application, and to this end the
14 provisions of this ordinance are declared severable.

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

17 **Section 6.** This ordinance shall become effective immediately upon passage; however, the
18 amendment to the City of Gainesville 2000-2010 Comprehensive Plan shall become effective thirty
19 one (31) days after passage and adoption of this Ordinance unless a petition is filed with the
20 Division of Administrative Hearings pursuant to §163.3187(3), F.S. In this event this Ordinance
21 shall not become effective until the State Land Planning Agency issues a final order determining the
22 adopted amendment to be in compliance in accordance with §163.3187, or until the Administration

1 Commission issues a final order determining the adopted amendment to be in compliance in
2 accordance with §163.3187, F.S.

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

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Craig Lowe
Mayor

9 ATTEST:

APPROVED AS TO FORM AND LEGALITY:

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12 _____
13 Kurt Lannon
14 Clerk of the Commission

Marion J. Radson
City Attorney

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17 This ordinance passed on first reading this _____ day of _____, 2010.

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22 MJR/NMS:rs
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March 17, 2010
Job No. 10-0090
Prepared for: Eaglesrock International, LLC
Parcel 2

LEGAL DESCRIPTION:

A parcel of land situated in Section 22, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Commence at the Northeast corner of lands described in Deed Book 370, page 69 of the Public Records of Alachua County, Florida for the POINT OF BEGINNING and thence run S.87°24'08"W., along the North line of said lands and along the South line of lands described in Deed Book 258, Page 65 of said Public Records, a distance of 416.92 feet to the Southeast corner of the Conservation Management Area as described in Official Records Book 3773, page 119 of said Public Records; Thence S.02°35'52"E., a distance of 149.21 feet to the South line of lands described in said Deed Book 370, Page 69 of the Public Records of Alachua County, Florida; thence run Easterly and Northerly along the boundaries of said lands, the following described four courses: (1) N.87°25'32"E., a distance of 224.91 feet; (2) N.05°41'11"W., a distance of 50.00 feet; (3) N.87°32'18"E., a distance of 200.09 feet; (4) N.05°41'21"W., a distance of 100.00 feet to the POINT OF BEGINNING.

Containing 1.21 acres more or less.

ALL AS SHOWN ON THE MAP
ATTACHED HERewith AND MADE A PART HEREOF

Exhibit "A" to Ordinance 0-10-12
(Leg. #090952)



6011 NW 1st Place
Gainesville, Florida 32607
Phone: (352) 331-1976
Fax: (352) 331-2476
www.chw-inc.com



March 17, 2010
Job No. 10-0090
Prepared for: Eaglesrock International, LLC
Parcel 1

LEGAL DESCRIPTION:

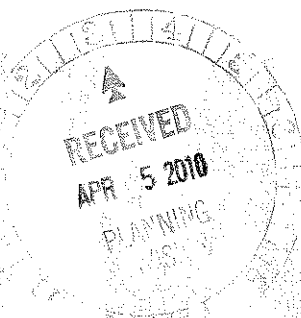
A parcel of land situated in Section 22, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Commence at the Northeast corner of lands described in Deed Book 370, page 69 of the Public Records of Alachua County, Florida and thence run S.87°24'08"W., along the North line of said lands and along the South line of lands described in Deed Book 258, Page 65 of said Public Records, a distance of 416.92 feet to the Southeast corner of the Conservation Management Area as described in Official Records Book 3773, page 119 of said Public Records and the POINT OF BEGINNING; Thence continue S.87°24'08"W., along the South line of said Conservation Management Area and along said South line of lands described in Deed Book 258, Page 65 of said Public Records, a distance of 323.64 feet to the Southwest corner of said lands described in Deed Book 258, Page 65; thence S.04°23'50"W., along the West line of the aforementioned lands described in Deed Book 370, Page 69, a distance of 150.19 feet to the Southwest corner of said lands; thence N.87°25'32"E., along the South line of said lands described in Deed Book 370, Page 69, a distance of 341.93 feet; thence N.02°35'52"W., a distance of 149.21 feet to the POINT OF BEGINNING.

Containing 1.14 acres more or less.

ALL AS SHOWN ON THE MAP
ATTACHED HEREWITH AND MADE A PART HEREOF

Exhibit "B" to Ordinance 0-10-12
(Leg. #090952)



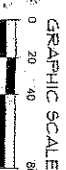
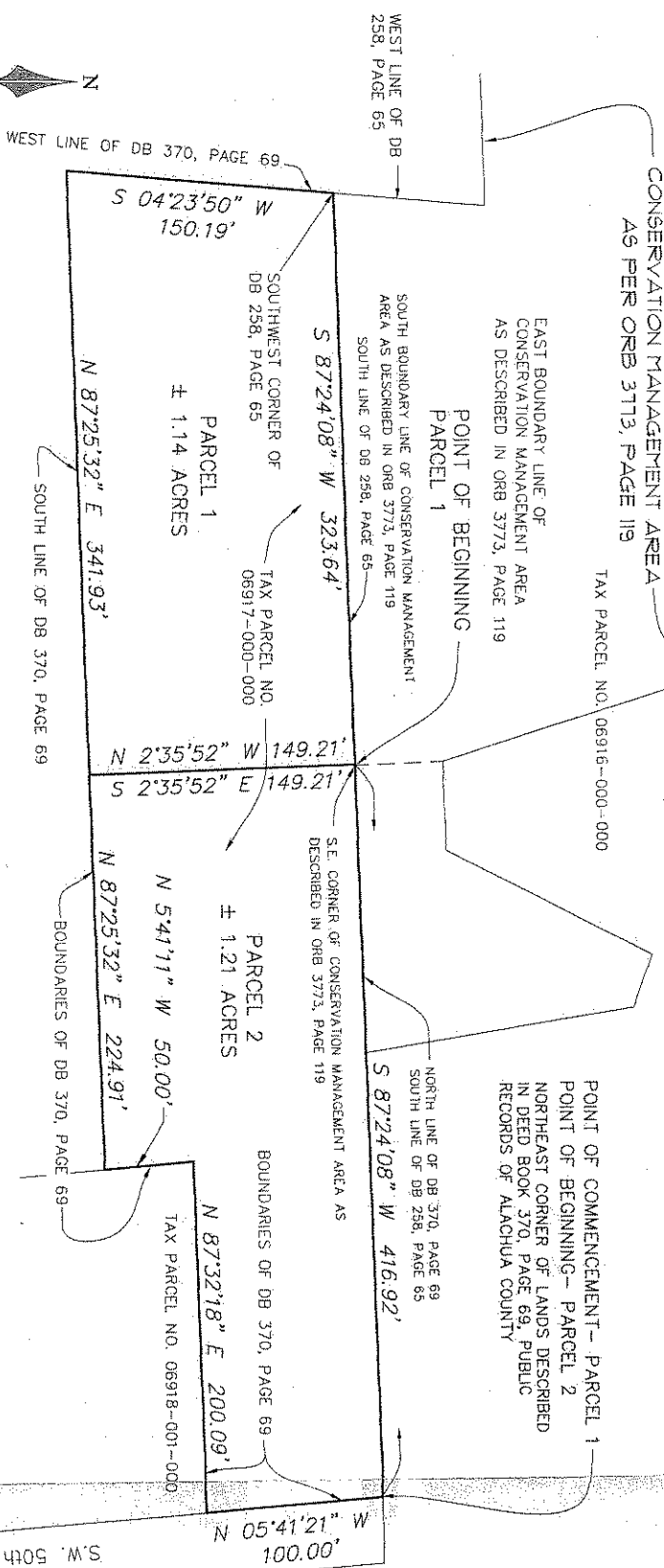
6011 NW 1st Place
Gainesville, Florida 32607
Phone: (352) 331-1976
Fax: (352) 331-2476
www.chw-inc.com

Rory P. Causseaux, P.E.
President

Kevin W. Hewett, P.L.S.
Vice President - Surveying

Robert J. Walpole, P.E.
Vice President -
Engineering & Planning

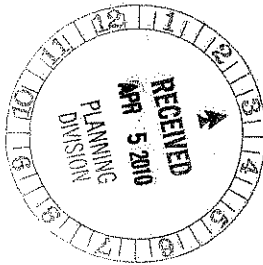
DESCRIPTION SKETCH
 LOCATED IN SECTIONS 15 & 22, TOWNSHIP 10 SOUTH, RANGE 19 EAST,
 ALACHUA COUNTY, FLORIDA
 NOT A BOUNDARY SURVEY



SURVEYOR'S NOTES

The bearings, distances and data shown hereon is based on a previous survey by this office under job number 09-0466, dated 1-25-2010.

DESCRIPTIONS: SEE ATTACHED



LEGEND OF ABBREVIATIONS
 ORB = OFFICIAL RECORDS BOOK
 DB = DEED BOOK

Exhibit "C" to Ordinance 0-10-12 (Leg.#606052)

TECHNICIAN: KTM	CERTIFIED TO:
DRAWN BY: N/A	EAGLE ROCK INTERNATIONAL, LLC
CHECKED BY: SAH	
FIELD BOOK & PAGE: N/A	
SCALE: 1" = 60'	

Causseaux, Hewett, & Walpole, Inc.
 Engineering • Surveying • Planning
 6011 NW 1st Place, Gainesville, Florida 32607
 Phone: (352) 331-1976 • Fax: (352) 331-2476 • www.chw-inc.com
 LB-5075

This map prepared by:
 Certificate of Authorization No. LB 5076
 NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

STATION:
 SURVEY DATE: 3-17-2010
 REVISION DATE:
 PROJECT NUMBER: 10-0090

1 OF 1