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2 **ORDINANCE NO. 960841**  
3 **0-97-21**  
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6 **An Ordinance amending the City of Gainesville 1991-2001**  
7 **Comprehensive Plan; by changing the land use category of**  
8 **certain property from "Single Family (up to 8 units per acre)"**  
9 **and "Residential Medium Density (10-30 units per acre)" to**  
10 **"Conservation"; located in the vicinity of the 1500-1600 block**  
11 **of N.W. 29th Road and 3056 N.W. 14th Street; providing a**  
12 **severability clause; providing a repealing clause; and providing**  
13 **an effective date.**  
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15  
16 **WHEREAS,** the City Plan Board authorized the publication of  
17 notice of a Public Hearing that the land use category of certain  
18 property be changed from "Single Family (up to 8 units per acre)"  
19 and "Residential Medium Density (10-30 units per acre)" to  
20 "Conservation"; and

21 **WHEREAS,** notice by the Plan Board was given and publication  
22 made as required by law and a Public Hearing was held by the City  
23 Plan Board on February 20, 1997; and

24 **WHEREAS,** the amendment to the land use category of the City  
25 of Gainesville 1991-2001 Comprehensive Plan proposed herein  
26 directly relates to a small scale development activity as provided  
27 in Chapter 163, Florida Statutes; the City of Gainesville will  
28 transmit copies of the public notice and this proposed change to  
29 the State Land Planning Agency, the regional planning council, and

1 any other person or entity who has requested a copy for their  
2 comments subsequent to the passage of this ordinance; and

3 **WHEREAS**, notice was given and publication made of a Public  
4 Hearing which was held by the City Commission on March 10, 1997;  
5 and

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

11 **WHEREAS**, pursuant to law, notice has also been given by mail  
12 to the owner whose property will be regulated by the adoption of  
13 this Ordinance, at least thirty days prior to the date set for the  
14 first reading of this ordinance; and

15 **WHEREAS**, the two (2) Public Hearings were held pursuant to  
16 the published notices described above at which hearings the  
17 parties in interest and all others had an opportunity to be and  
18 were, in fact, heard.

19 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**  
20 **CITY OF GAINESVILLE, FLORIDA:**

21 **Section 1.** The land use category of the following described  
22 property is changed from the land use category of "Single Family

1 (up to 8 units per acres)" and Residential Medium Density (10-30  
2 units per acre)" to "Conservation":

3 See legal description attached hereto as  
4 Exhibit "A", and made a part hereof as if set  
5 forth in full.  
6

7 **Section 2.** The City Manager is authorized and directed to make  
8 the necessary changes in maps and other data in the City of  
9 Gainesville 1991-2001 Comprehensive Plan, or element, or portion  
10 thereof in order to comply with this ordinance.

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

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

17 **Section 5.** This ordinance shall become effective immediately  
18 upon passage on second reading; however, the amendment to the City  
19 of Gainesville 1991-2001 Comprehensive Plan shall become effective  
20 thirty one (31) days after adoption of this Ordinance on second  
21 reading unless a petition is filed with the Division of  
22 Administrative Hearings pursuant to § 163.3187(3), F.S. In this  
23 event this Ordinance shall not become effective until the state  
24 land planning agency issues a final order determining the adopted  
25 amendment to be in compliance in accordance with S. 163.3187, or



## LEGAL DESCRIPTION FOR PETITION # 13LUC-97PB AND PETITION # 14ZON-97PB

## Parcel I:

Begin at the Southeast corner of Section 30, Township 9 South, Range 20 East; thence run North along Section line 31.29 chains; thence run North 89 degrees, 45 minutes West 6.648 chains to the Point-of-Beginning; thence run South 4.39 chains; thence run South 78 degrees, 33 minutes West 4.281 chains; thence run North 82 degrees, 27 minutes West 1.45 chains; thence run North 54 degrees, 05 minutes West 1.375 chains; thence run North 21 degrees, 31 minutes West 4.223 chains to the center of Hogtown Creek; thence run North 63 degrees, 56 minutes East along said center 2.435 chains; thence run South 89 degrees, 45 minutes East 6.22 chains to the Point-of-Beginning. All lying and being in the Northeast Quarter of Southeast Quarter (NE 1/4 of SE 1/4) of Section 30, Township 9 South, Range 20 East, Alachua County, Florida according to survey made by Perry C. McGriff on July 30, 1953.

## Parcel II:

Lot Twelve (12), of Block One (1), of Magnolia Park, a Subdivision of a portion of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 30, Township 9 South, Range 20 East, according to a plat of same as recorded in Plat Book "C", page 58 of the Public Records of Alachua County, Florida.

## Parcel III:

Commence at the Southwest corner of Lot Eleven (11), of Forest Park Farms, a subdivision as recorded in Plat Book "C", page 46 of the Public Records of Alachua County, Florida, thence run South 58 degrees, 20 minutes East along the south line of Lot Eleven (11), a distance of 181.49 feet to a point, said point being the Point-of-Beginning; (call 1) thence continue South 58 degrees, 20 seconds East a distance of 302 feet more-or-less to the centerline of the Hogtown Creek; return to the Point-of-Beginning; (call 2) thence run North 3 degrees, 30 seconds East a distance of 170 feet to a point; (call 3) thence run South 86 degrees, 30 minutes East a distance of 291 feet more-or-less to the centerline of the Hogtown Creek; (call 4) thence run with the meanders of the centerline of the Hogtown Creek to call one and to close.

Less and except the following described property:

That part of Section 30, Township 9 South, Range 20 East, Alachua County, Florida, being more particularly described as follows:

Commence at the Southeast corner of said Section 30 for a point of reference; from the said point of reference proceed North 00 degrees, 24 minutes, 37 seconds East along the East line of said Section 30, a distance of 2065.14 feet; thence North 89 degrees, 37 minutes, 36 seconds West along the North line of the McDonalds Tract, as per description recorded in Official Records Book 837, page 671 of the Public Records of said Alachua County, a distance of 438.70 feet to the Northwest corner of the said McDonalds Tract; thence South 00 degrees, 20 minutes, 47 seconds East along the West line of said McDonalds Tract, a distance of 80.00 feet to the Point-of-Beginning; thence continue South 00 degrees, 20 minutes, 47 seconds East along the said west line of the McDonalds Tract, a distance of 209.25 feet to a 2 inch iron pipe at an intersection with the Northerly right-of-way line of Northwest 29th Road; thence South 74 degrees, 44 minutes, 48 seconds West along the said Northerly right-of-way line, a distance of 250.55 feet to a 4 inch by 4 inch concrete

monument; thence North 00 degrees, 20 minutes, 47 seconds West, parallel to the said West line of the McDonalds Tract, a distance of 276.75 feet; thence South 89 degrees, 37 minutes, 36 seconds East, parallel to the said North line of the McDonalds Tract, a distance of 242.14 feet to an intersection with the said West line of the McDonalds Tract and the said Point-of-Beginning.

Also less and except:

A tract of land lying in Section 30, Township 9 South, Range 20 East, Gainesville, Alachua County, Florida, being more particularly described as follows:

Commence at the Southeast corner of said Section 30 and run North 00 degrees, 24 minutes, 37 seconds East along the East line of said Section 2063.92 feet; thence run North 89 degrees, 36 minutes, 10 seconds West and along the North line of McDonalds Tract 438.66 feet to a concrete monument at the Northwest corner of McDonalds Tract as per deed recorded in Official Records Book 1589, page 1494 of the Public Records of Alachua County, Florida; thence run South 00 degrees, 19 minutes, 47 seconds East along the West line of said tract, 8.37 feet to an iron pin; thence continue South 00 degrees, 19 minutes, 47 seconds East along said West line 71.63 feet to an iron pin and the Point-of-Beginning; thence run North 89 degrees, 53 minutes, 35 seconds West, 240.87 feet to an iron pipe; thence run North 00 degrees, 15 minutes, 06 seconds West, 3.00 feet to an iron pin; thence run South 89 degrees, 53 minutes, 35 seconds East, 240.87 feet; thence run South 00 degrees, 19 minutes, 47 seconds East 3.00 feet to the Point-of-Beginning.