

**CITY OF GAINESVILLE**  
**Office of the City Attorney**

980272  
**MEMORANDUM**

Box No. 46

334-5011 / Fax 334-2229

January 11, 1999

**TO:** Mayor and City Commission  
**FROM:** Marion J. Radson, City Attorney  
**SUBJECT:** Ordinance No. 0-99-04, Petition No. 152ZON-98PB

**DATE:** ~~December 14, 1998~~

**CITY ATTORNEY**  
**FIRST-READING**  
**SECOND READING**

An Ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City from "RSF-1: 3.5 units/acre single-family residential district" to "OF: General office district"; in the vicinity of 1605 and 1617 N.W. 16<sup>th</sup> Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.

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Recommendation: The City Commission adopt the proposed ordinance.

The above-referenced ordinance has been prepared pursuant to City Commission action authorizing the City Attorney's Office to prepare the appropriate ordinance rezoning certain property within the City of Gainesville.

Prepared and  
Submitted by:

  
Marion J. Radson  
City Attorney

MJR/afm

152ZON.CVR

Passed on first reading by a vote of 3-1.

ORDINANCE NO. \_\_\_\_\_

0-99-04

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City from "RSF-1: 3.5 units/acre single-family residential district" to "OF: General office district"; in the vicinity of 1605 and 1617 N.W. 16th Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.**

**WHEREAS**, the publication of notice of a public hearing was given that certain lands within the City be rezoned from the zoning category of "RSF-1: 3.5 units/acre single-family residential district" to "OF: General office 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 September 17, 1998; and

**WHEREAS**, notice was given and publication made of a public hearing which was then held by the City Commission on October 12, 1998; and

**WHEREAS**, the City Commission finds that the rezoning of the property described herein will be consistent with the City of Gainesville 1991-2001 Comprehensive Plan upon the adoption of Ordinance No. 980271, City of Gainesville.

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

**WHEREAS**, pursuant to law, notice has also been given by mail to the owner whose property will be regulated by the adoption of this Ordinance, at least ten days prior to the date set for a public hearing on this ordinance; and

**WHEREAS**, public hearings were held pursuant to the published and mailed notices described at which hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.

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

**Section 1.** The following described property is rezoned and changed from the zoning category of "RSF-1: 3.5 units/acre single-family residential district" to "OF: General office district";

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

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

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

**Section 4.** All ordinances, or parts of ordinances, in

conflict herewith are to the extent of such conflict hereby repealed.

**Section 5.** This ordinance shall become effective immediately upon final adoption; however, the rezoning shall not become effective until the amendment to the City of Gainesville 1991-2001 Comprehensive Plan adopted by Ordinance No. 980433 becomes effective as provided therein.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 1998.

\_\_\_\_\_  
MAYOR

ATTEST:

Approved as to form and legality:

\_\_\_\_\_  
KURT LANNON,  
CLERK OF THE COMMISSION

By: \_\_\_\_\_  
MARION J. RADSON, CITY ATTORNEY

This ordinance passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 1999.

This ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 1999.

MJR/afm  
10/29/98  
152zon.pet

## LEGAL DESCRIPTION

Petitions 151LUC-98 PB and 152ZON-98 PB  
Legislative Matter Nos. 980271 and 980272

**Tax Parcel No. 09246-006-000, described as:**

Commence at the Northeast corner of the Southeast Quarter (SE 1/4) of Section Thirty-one (31), Township Nine (9) South, Range Twenty (20) East, and run West 1150 feet, thence run South 15 feet to the point of beginning, thence run West 150 feet, thence run South 155 feet, thence run East 150 feet, thence run North 155 feet to the point of beginning. LESS Right of Way as per Deed Book 295, page 493 of the Public Records of Alachua County, Florida.

**Tax Parcel No. 09246-007-000, described as:**

Commence at the NE corner of the SE 1/4 of Section 31, Township 9 South, Range 20 East and run West 1000 feet, thence South 15 feet to Point of Beginning; thence run West 150 feet; South 155 Feet; East 150 feet; North 155 feet to Point of Beginning. LESS land deeded to State of Florida, being that part of NE 1/4 of Section 31, Township 9 South, Range 20 East bordering on Michigan Avenue described as follows: Commencing at the Northeast corner of the SE 1/4 of Section 31, Township 9 South, Range 20 East, run West 1000 feet; thence South 15 feet to Point of Beginning; thence run West 150 feet; thence South 155 feet; thence East 150 feet; thence North 155 feet to Point of Beginning.

Lying within 50 feet of the survey line of Michigan Avenue extension as surveyed and located by the State Road Department and shown on Official map title Section 2600-104; said survey line being described as passing over and across said Section 31 as follows: Beginning on the West boundary of Section 31, Township 9 South, Range 20 East at a point 2651.6 feet North from a marble monument locating the Southwest corner of said Section 31; thence run South 89 degrees 42' 43" East 5274.94 feet to the East boundary of said Section 31 at a point 2620.4 feet South from a R.R. Spike locating the Northeast corner of said Section 31; exclusive of area in existing road right-of-way.

