

ORDINANCE NO. 960842  
0-97-22

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5       **An ordinance of the City of Gainesville, Florida, amending the**  
6       **Zoning Map Atlas and rezoning certain lands within the City**  
7       **from "RSF-1: 3.5 units/acre single-family residential district"**  
8       **and "RMF-6: 10-15 units/acre multiple-family residential**  
9       **district" to "CON: Conservation district"; located in the**  
10       **vicinity of the 1500-1600 block of N.W. 29th Road and 3056**  
11       **N.W. 14th Street; providing a severability clause; providing a**  
12       **repealing clause; and providing an effective date.**

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15       **WHEREAS,** the City Plan Board authorized the publication of  
16 notice of a Public Hearing that certain lands within the City be  
17 rezoned from the zoning category of "RSF-1: 3.5 units/acre  
18 single-family residential district" and "RMF-6: 10-15 units/acre  
19 multiple-family residential district" to "CON: Conservation  
20 district"; and

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

24       **WHEREAS,** notice was given and publication made of a Public  
25 Hearing which was then held by the City Commission on March 10,  
26 1997; and

27       **WHEREAS,** the City Commission finds that the rezoning of the  
28 property described herein is consistent with the City of  
29 Gainesville 1991-2001 Comprehensive Plan.

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

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

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

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

16       **Section 1.** The following described property is rezoned and  
17 changed from the zoning category of "RSF-1: 3.5 units/acre  
18 single-family residential district" and "RMF-6: 10-15 units/acre  
19 multiple-family residential district" to "CON: Conservation  
20 district";

21               See Legal Description attached hereto as  
22               Exhibit "A", and made a part hereof as if set  
23               forth in full.  
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1       **Section 2.** The City Manager is authorized and directed to make  
2 the necessary change in the Zoning Map to comply with this  
3 Ordinance.

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

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

10       **Section 5.** This ordinance shall become effective immediately  
11 upon final adoption; however, the rezoning shall not become  
12 effective until the amendment to the City of Gainesville 1991-2001  
13 Comprehensive Plan adopted by Ordinance No. 0-97-21 becomes  
14 effective as provided therein.

15       **PASSED AND ADOPTED** this 9th day of June

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17 1997:

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Regen Hamaker for  
MAYOR-COMMISSIONER

ATTEST:

Approved as to form and legality:

[Signature]  
KURT LANNON,  
CLERK OF THE COMMISSION

By: [Signature]  
MARION J. RADSON, CITY ATTORNEY  
JUN 10 1997

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2 This ordinance passed on first reading this 27th day of  
3 May, 1997.

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5 This ordinance passed on second reading this 9th day of  
6 June, 1997.

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8 MJR/afm  
9 3/25/97  
10 h:users\alice\14zon.pet

## 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.