

ORDINANCE NO. 041050
0-05-42

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4 **An ordinance amending the City of Gainesville 2000-2010**
5 **Comprehensive Plan, Future Land Use Map; by changing the**
6 **land use category of certain properties annexed into the City**
7 **from the Alachua County land use category of “LOW, Low**
8 **Density Residential” to the City of Gainesville land use category**
9 **of “Single-Family (up to 8 units per acre)”;** consisting of
10 **approximately 34 acres; located at the south side of Southwest**
11 **24th Avenue, west of I-75 and east of Tower Road; providing a**
12 **severability clause; providing a repealing clause; and providing**
13 **an effective date.**

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16 **WHEREAS,** publication of notice of a public hearing was given that the Future Land Use
17 Map be amended by changing the land use category of certain lands annexed within the City from
18 the Alachua County land use category of “LOW, Low Density Residential” to the City of
19 Gainesville land use category of “Single-Family (up to 8 units per acre)”;

20 **WHEREAS,** notice by the Plan Board was given and publication made as required by law
21 and a public hearing was held by the City Plan Board on March 17, 2005; and

22 **WHEREAS,** pursuant to law, an advertisement no less than two columns wide by 10
23 inches long was placed in a newspaper of general circulation notifying the public of this proposed
24 ordinance and of the Public Hearing to be held in the City Commission Meeting Room, First Floor,
25 City Hall, in the City of Gainesville at least seven (7) days after the day the first advertisement was
26 published; and

27 **WHEREAS,** pursuant to law, after the public hearing at the transmittal stage, the City of
28 Gainesville transmitted copies of this proposed change to the State Land Planning Agency; and

1 **WHEREAS**, a second advertisement no less than two columns wide by 10 inches long was
2 placed in the aforesaid newspaper notifying the public of the second Public Hearing to be held at
3 the adoption stage at least five (5) days after the day the second advertisement was published; and

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

6 **WHEREAS**, prior to adoption of this ordinance, the City Commission has considered the
7 comments, recommendations and objections, if any, of the State Land Planning Agency.

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 properties from the
12 Alachua County land use category “LOW, Low Density Residential” to “Single-Family (up to 8
13 units per acre)”:

14 See legal description attached hereto as Exhibit "A", and made a part
15 hereof as if set forth in full.

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17 **Section 2.** The City Manager is authorized and directed to make the necessary changes in
18 maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element, or
19 portion thereof in order to comply with this ordinance.

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

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

3 **Section 5.** This ordinance shall become effective immediately upon passage on second
4 reading; however, the effective date of this plan amendment shall be the date a final order is issued
5 by the Department of Community Affairs finding the amendment to be in compliance in accordance
6 with Chapter 163.3184, F.S.; or the date a final order is issued by the Administration Commission
7 finding the amendment to be in compliance in accordance with Chapter 163.3184, F.S.

8 **PASSED AND ADOPTED** this 14th day of November, 2005.

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14 ATTEST:

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PEGEEN HANRAHAN, MAYOR

APPROVED AS TO FORM AND LEGALITY:



KURT LANNON,

CLERK OF THE COMMISSION



MARION J. RADSON, CITY ATTORNEY
NOV 15 2005

This ordinance passed on first reading this 27th day of June, 2005.

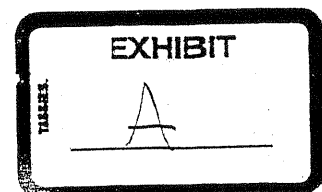
This ordinance passed on second reading this 14th day of November, 2005.

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DESCRIPTION FOR PORTOFINO AS PER OFFICIAL RECORDS BOOK 2829, PAGE 1293, ET SEQ.

A PARCEL OF LAND SITUATED IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 9; THENCE SOUTH $88^{\circ}57'51''$ WEST, ALONG THE SOUTH BOUNDARY OF SAID SECTION 9, A DISTANCE OF 2630.04 FEET TO THE INTERSECTION WITH THE EAST BOUNDARY OF A 15' X 15' EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 1093, PAGE 740 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE FOLLOWING THE BOUNDARY OF SAID EASEMENT NORTH $01^{\circ}04'12''$ WEST, A DISTANCE OF 15.00 FEET; THENCE SOUTH $88^{\circ}57'51''$ WEST, A DISTANCE OF 15.00 FEET TO THE INTERSECTION WITH THE BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1589, PAGES 201 THROUGH 202 OF SAID PUBLIC RECORDS; THENCE NORTH $01^{\circ}04'12''$ WEST, ALONG THE BOUNDARY OF SAID LANDS, A DISTANCE OF 632.54 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE BOUNDARY OF SAID LANDS NORTH $01^{\circ}04'12''$ WEST, A DISTANCE OF 87.46 FEET; THENCE CONTINUE ALONG THE BOUNDARY OF SAID LANDS NORTH $64^{\circ}37'41''$ WEST, A DISTANCE OF 360.69 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD SW 30 (A.K.A. SW 24TH AVE) (RIGHT-OF-WAY WIDTH VARIES), SAID POINT BEING ON A NON-TANGENT CURVE TO THE LEFT, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1959.86 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE NORTH $27^{\circ}49'20''$ EAST, 166.86 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF $04^{\circ}52'46''$, AN ARC DISTANCE OF 166.91 FEET TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG SAID EASTERLY RIGHT-OF-WAY LINE NORTH $25^{\circ}23'02''$ EAST, A DISTANCE OF 1465.38 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1859.86 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH $42^{\circ}26'55''$ EAST, 1091.56 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF $34^{\circ}07'37''$, AN ARC DISTANCE OF 1107.86 FEET TO THE END OF SAID CURVE; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE SOUTH $30^{\circ}29'37''$ EAST, A DISTANCE OF 550.00 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1309.86 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH $42^{\circ}26'58''$ WEST, 768.80 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $34^{\circ}07'46''$, AN ARC DISTANCE OF 780.29 FEET TO THE POINT OF TANGENCY; THENCE SOUTH $25^{\circ}23'02''$ WEST, A DISTANCE OF 1632.01 FEET; THENCE SOUTH $88^{\circ}55'48''$ WEST, A DISTANCE OF 175.86 FEET TO THE POINT OF BEGINNING.



#041050



CITY OF GAINESVILLE

Clerk of the Commission

I hereby certify that a true record of this ordinance was made by me in

Ordinance Book No. 72 on this 17 day of

November, 2005.

A handwritten signature in black ink, appearing to read "Kurt M. Lannon, Jr.", is written over a horizontal line.

Kurt M. Lannon, Jr.
Clerk of the Commission