

LEGISLATIVE #

210105A

RESOLUTION NO. 210105

A resolution of the City of Gainesville, Florida, approving the conditional final plat named “TARA SERENA, A CLUSTER SUBDIVISION” located in the vicinity of 2100 NW 53rd Avenue, Gainesville, Florida, as more specifically described in this resolution; providing directions to the City Clerk; providing conditions and restrictions; and providing an immediate effective date.

WHEREAS, Chapter 177, Part I, of the Florida Statutes provides certain minimum requirements to regulate and control the platting of lands, which serves to establish the identity of all lands to thenceforth be conveyed by reference to such plat; and

WHEREAS, a “plat” is defined by Section 177.031(14), Florida Statutes, as a map or delineated representation of the subdivision of lands, being a complete exact representation of the subdivision and other information in compliance with the requirements of all applicable sections of Chapter 177, Part I, Florida Statutes, and of any local ordinances; and

WHEREAS, platting in the City of Gainesville is regulated by Article III, Division 1 of the City's Land Development Code (Chapter 30 of the Code of Ordinances); and

WHEREAS, Sections 30-3.38 and 30-6.6 of the Land Development Code describe the subdivision improvements that the owner/subdivider must construct for plat approval; and

WHEREAS, in accordance with Section 30-3.39 of the Land Development Code, the owner/subdivider may choose to provide certain financial security to ensure that the subdivision improvements get constructed within 12 months of plat approval, and in such case the owner/subdivider may record the plat and sell lots therein immediately upon City Commission approval (Final Plat). Alternatively and in lieu of the owner/subdivider providing security, the City Commission may approve a conditional final plat whereby approval and recordation of the plat is conditioned on the owner/subdivider completing construction of the

required subdivision improvements within two years of the date of conditional final plat approval (Conditional Final Plat); and

WHEREAS, on June 22, 2021, the Development Review Board recommended approval of, with certain conditions, a design plat of the property that is the subject of this resolution (Petition No. DB-21-5-SUB); and

WHEREAS, on July 19, 2021, the City Commission approved, with certain conditions, the design plat of the subject property in accordance with Section 30-3.37C of the Land Development Code; and

WHEREAS, the owner/subdivider of the proposed subdivision has submitted a conditional final plat that substantially conforms to the design plat approved by the City Commission; and

WHEREAS, the owner/subdivider has requested the City Commission to accept and approve the conditional final plat as provided in Section 30-3.39B of the Land Development Code and in accordance with Chapter 177 of the Florida Statutes; and

WHEREAS, the City Commission finds that the conditional final plat described herein is consistent with the City of Gainesville Comprehensive Plan.

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

SECTION 1. The conditional final plat of “TARA SARENA, A CLUSTER SUBDIVISION” is accepted and approved by the City Commission on the property lying in the City of Gainesville, Alachua County, Florida, that is described in **Exhibit A** attached hereto and made a part hereof as if set forth in full.

SECTION 2. The owner/subdivider of the plat shall fully complete all subdivision

improvements, as shown on the plat and as required by Section 30-3.38 and Section 30-6.6 of the Land Development Code, within two years of the effective date of this resolution and in accordance with approved plans and specifications and the ordinances of the City of Gainesville.

SECTION 3. The “TARA SERENA, A CLUSTER SUBDIVISION” conditional final plat may not be recorded, but must be retained by the City Clerk until both the City Manager and the City Commission has certified that all required subdivision improvements have been completed in accordance with approved plans and specifications and ordinances of the City. Upon such certification by the City Manager and upon proof, by title insurance or other similar assurance to the satisfaction of the City, that the dedicator has clear fee title to the property to be dedicated to the public with no liens or possibilities of liens, the City shall approve the final plat and accept the dedication of any publically-dedicated portions as shown on the approved plat, and the owner/subdivider shall record the plat and provide copies as specified in Section 30-3.37 of the Land Development Code.

SECTION 4. No building permits may be issued on the property within the boundaries of the approved conditional final plat until such plat has been approved and accepted by the City Commission in accordance with Section 3 of this resolution and has been recorded in the public records of Alachua County, Florida.

SECTION 5. During the owner/subdivider’s construction of the required subdivision improvements, the owner/subdivider may have this conditional final plat converted to a recordable final plat in accordance with the Land Development Code, provided the owner/subdivider posts a bond or other form of security for the cost of the uncompleted

subdivision improvements in accordance with Section 30-3.39 of the Land Development Code and provided that all other requirements and conditions of the Land Development Code applicable to final plat acceptance have been met.

SECTION 6. This resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this _____ day of _____, 2022.

LAUREN POE
MAYOR

Attest:

Approved as to form and legality:

OMICHELE D. GAINES
CITY CLERK

DANIEL M. NEE
INTERIM CITY ATTORNEY