



## Legislation Text

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**File #:** 120235., **Version:** 2

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### **REZONING - APPROXIMATELY 497 SQUARE FEET OF PROPERTY LOCATED ON THE EAST SIDE OF SW 43RD STREET APPROXIMATELY 31 FEET FROM THE SOUTH RIGHT-OF-WAY OF SW 20TH AVENUE (B)**

Ordinance No. 120235; Petition No. PB-12-76 ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 497 square feet of property located in the vicinity of the east side of SW 43rd Street, approximately 31 feet from the south right-of-way of SW 20th Avenue, as more specifically described in this ordinance, from Alachua County Planned Development district (PD) to City of Gainesville Public services and operations district (PS); establishing uses permitted by right; excepting the requirement of a preliminary development plan; providing conditions on the property; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

The City Commission adopt the proposed ordinance.

### PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This petition/ordinance rezones certain property from Alachua County Planned Development district (PD) to City of Gainesville Public services and operations district (PS). The approximately 497 square foot property is located on the east side of SW 43rd Street, approximately 31 feet from the south right-of-way of SW 20th Avenue, and was annexed into the City as part of the Urban Village annexation in June 2009. The triangular-shaped property was deeded to Alachua County on January 12, 2011 by the Venture Apartments Planned Development to supplement the existing stormwater management facility serving SW 20th Avenue.

The property is currently used for stormwater retention/treatment and utilities. PS zoning was selected for consistency with the current use of the property and is consistent with the property's Urban Mixed-Use 2 future land use designation. Staff recommends waiving the requirement for a preliminary development plan because all uses on the site currently exist.

This petition/ordinance specifies this property's list of permitted uses by right as: Stormwater retention and treatment; Utility transmission and distribution lines; Utility buildings or facilities (as defined in Section 30-23 of the Land Development Code); and Accessory uses customarily and clearly incidental to any permitted principal use.

After public notice was published in the Gainesville Sun on July 10, 2012, the City Plan Board held a public hearing on July 26, 2012, and by a vote of 6-0, recommended approval of this petition.

### CITY ATTORNEY MEMORANDUM

This ordinance requires two readings.

