

FOR PLANNING USE ONLY
Case #: _____
Application Fee: \$ _____
Filing Date: _____
Acceptance Date: _____
Review Type: P&Z; CC

# Site Specific Amendment to the Official Zoning Atlas Amendment (Rezoning) Application

Reference City of Alachua Land Development Regulations Article 2.4.2

## A. PROJECT

- Project Name: Wallace Rezoning
- Address of Subject Property: 17002 NW CR 241, Alachua, FL 32615
- Parcel ID Number(s): 03067-005-000
- Existing Use of Property: Vacant / Silviculture
- Future Land Use Map Designation : Moderate Density Residential
- Existing Zoning Designation: CC : Community Commercial
- Proposed Zoning Designation: RSF-3 : Residential Single-Family-3
- Acreage: ±20 acre portion of a ±100 acre parcel

## B. APPLICANT

- Applicant's Status  Owner (title holder)  Agent
- Name of Applicant(s) or Contact Person(s): Christopher Gmuer Title: President  
Company (if applicable): Gmuer Engineering, LLC  
Mailing address: 2603 NW 13th ST Box 314  
City: Gainesville State: FL ZIP: 32609  
Telephone: ( ) 352-281-4928 FAX: ( ) N/A e-mail: chrsg@gmuereng.com
- If the applicant is agent for the property owner\*:  
Name of Owner (title holder): Wallace Cain  
Mailing Address: PO Box 100  
City: Alachua State: FL ZIP: 32616-0100

\* Must provide executed Property Owner Affidavit authorizing the agent to act on behalf of the property owner.

## C. ADDITIONAL INFORMATION

- Is there any additional contact for sale of, or options to purchase, the subject property?  Yes  No  
If yes, list names of all parties involved: Sayed Moukhtara  
If yes, is the contract/option contingent or absolute?  Contingent  Absolute

## D. ATTACHMENTS

- Statement of proposed change, including a map showing the proposed zoning change and zoning designations on surrounding properties
- A current aerial map or plat of the property. (may be obtained from the Alachua County Property Appraiser.)
- Concurrency Impact Analysis showing the impact on public facilities, including potable water, sanitary sewer, transportation, solid waste, recreation, stormwater, and public schools in accordance with Article 2.4.14 of the Land Development Regulations.
- Analysis of Consistency with the City of Alachua Comprehensive Plan (analysis must identify specific Goals, Objectives, and Policies and describe in detail how the application complies with the noted Goal, Objective, or Policy.)

5. Analysis of compliance with the Standards for Site Specific Amendments to the Official Zoning Atlas, as defined in Section 2.4.2 of the Land Development Regulations (LDRs), and listed below:
  - i. *Consistent with Comprehensive Plan*  
The proposed amendment is consistent with and furthers the goals, objectives, and policies of the Comprehensive Plan.
  - ii. *Consistent with Ordinances*  
The proposed amendment is not in conflict with any portion of these LDRs or any of the City Code of Ordinances.
  - iii. *Logical Development Pattern*  
The proposed amendment would result in a logical and orderly development pattern.
  - iv. *Pre-Mature Development*  
The proposed amendment will not create premature development in undeveloped or rural areas.
  - v. *Incompatible with Adjacent Lands*  
The uses permitted by the proposed amendment are not incompatible with existing land uses of adjacent lands and/or the uses permitted by the zone district classifications of adjacent lands.
  - vi. *Adverse Effect on Local Character*  
The proposed amendment will not adversely effect the character of the general area where it is proposed to be located by creating excessive traffic, density and/or intensities of use, building height and bulk, noise, lights, or other physical effects or nuisances.
  - vii. *Not Deviate from Pattern of Development*  
The uses permitted by the proposed amendment will not deviate from the development pattern (both established and as proposed by surrounding zone districts) of the area where the proposed amendment is located.
  - viii. *Encourage Sprawl*  
The proposed amendment will not encourage urban sprawl, either by resulting in strip or ribbon commercial development, leap-frog development or low density single dimensional development.
  - ix. *Spot Zoning*  
The proposed amendment will not result in the creation of an isolated zone district unrelated to adjacent and surrounding zone districts (spot zoning).
  - x. *Public Facilities*  
The proposed amendment will not result in development in a location where there are no plans by the City or other governmental entities to provide public facilities to serve the development (roads, potable water, wastewater, parks, storm water management, and solid wastes), and there are no assurances by the private sector that public facilities are planned and will be available to adequately accommodate development.
  - xi. *No Adverse Effect on the Environment*  
The proposed amendment would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.
6. Three (3) sets of labels for all property owners within 400 feet of the subject property boundaries – even if property within 400 feet falls outside of City limits. (Obtain from the Alachua County Property Appraiser).
7. Neighborhood Meeting Materials, including:
  - i. Copy of the required published notice (advertisement) – must be published a newspaper of general circulation, as defined in Article 10 of the City's Land Development Regulations
  - ii. Copy of written notice (letter) sent to all property owners within 400 feet, and mailing labels or list of those who received written notice
  - iii. Written summary of meeting – must include (1) those in attendance; (2) a summary of the issues related to the development proposal discussed; (3) comments by those in attendance about the development proposal; and, (4) any other information deemed appropriate.
8. For applications requesting a zoning which permits residential uses, Public School Student Generation Form.
9. Legal description with tax parcel number.

- 10. Proof of ownership.
- 11. Proof of payment of taxes.
- 12. **Fee.** Please see fee schedule for fee determination. No application shall be accepted for processing until the required application fee is paid in full by the applicant. Any necessary technical review will be billed to the applicant at the rate of the reviewing entity. The invoice shall be paid in full prior to any legislative and/or quasi-judicial action of any kind on the petition, appeal, or development application.

**All 12 attachments are required for a complete application. A completeness review of the application will be conducted within five (5) business days of receipt. If the application is determined to be incomplete, the application will be returned to the applicant.**

I/We certify and acknowledge that the information contained herein is true and correct to the best of my/our knowledge.

*[Handwritten Signature]* 8/25/2018  
 Signature of Applicant

\_\_\_\_\_  
 Signature of Co-applicant

Christopher Gmuer, President

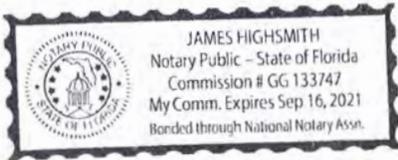
Typed or printed name and title of applicant

\_\_\_\_\_  
 Typed or printed name of co-applicant

State of Florida County of Alachua

The foregoing application is acknowledged before me this 25 day of August, 2018, by Christopher Gmuer  
a Valid FLDL, who is/are personally known to me, or who has/have produced a valid FLDL  
 as identification.

*[Handwritten Signature]*  
 Signature of Notary Public, State of Florida





THE GOOD LIFE COMMUNITY

# Authorized Agent Affidavit

## A. PROPERTY INFORMATION

Address of Subject Property: 17002 NW CR 241, Alachua, FL 32615  
Parcel ID Number(s): 03067-005-000  
Acreage: ±100

## B. PERSON PROVIDING AGENT AUTHORIZATION

Name: Wallace Cain Title: Owner  
Company (if applicable): \_\_\_\_\_  
Mailing Address: PO Box 100  
City: Alachua State: FL ZIP: 32616-0100  
Telephone: (386) 462-1736 FAX: \_\_\_\_\_ e-mail: \_\_\_\_\_

## C. AUTHORIZED AGENT

Name: Christopher Gmuer Title: President  
Company (if applicable): Gmuer Engineering, LLC  
Mailing address: 2603 NW 13th ST Box 314  
City: Gainesville State: FL ZIP: 32609  
Telephone: 352-281-4928 FAX: N/A e-mail: chrisg@gmuereng.com

## D. REQUESTED ACTION:

Site Specific Amendment to the Official Zoning Atlas (Rezoning)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby certify that I am the property owner of record, or I have received authorization from the property owner of record to file an application for a development permit related to the property identified above. I authorize the agent listed above to act on my behalf for purposes of this application.

Wallace Cain  
Signature of Applicant

\_\_\_\_\_  
Signature of Co-applicant

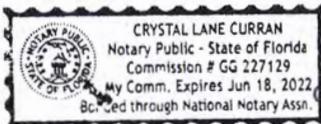
Wallace Cain, Owner  
Typed or printed name and title of applicant

\_\_\_\_\_  
Typed or printed name of co-applicant

State of Florida County of Alachua

The foregoing application is acknowledged before me this 24<sup>th</sup> day of August, 2018, by Wallace Cain, who is/are personally known to me, or who has/have produced DL as identification.

Crystal Lane Curran  
Signature of Notary Public, State of Florida



## Wallace Rezoning – Statement of Proposed Change and Aerial

August 23, 2018

Site Specific Amendment to the Official Zoning Atlas to rezone from CC to RSF-3 the eastern  $\pm 20$  acre portion of a  $\pm 100$  acre parcel located in the City of Alachua / TP#03067-005-000. The proposed rezoning will match the zoning of the rest of the parcel and unify the parcel as RSF-3. This  $\pm 20$  acre portion was subject of an approved Large Scale Comprehensive Plan amendment (known as "Ashwood") that changed the Future Land Use Map designation from Commercial to Moderate Density Residential via Ordinance 07-35 on March 10, 2008.

### Existing Zoning Map

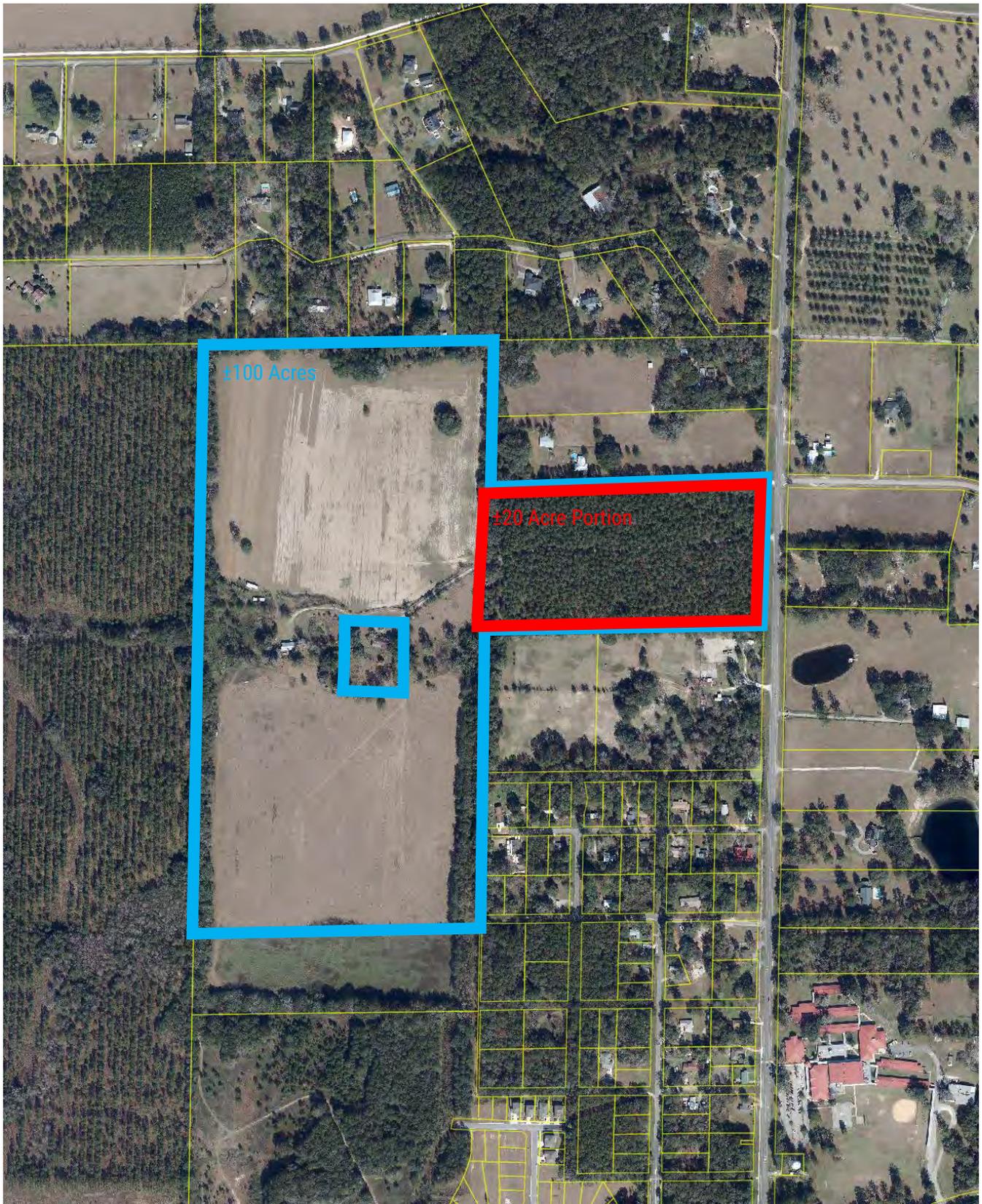


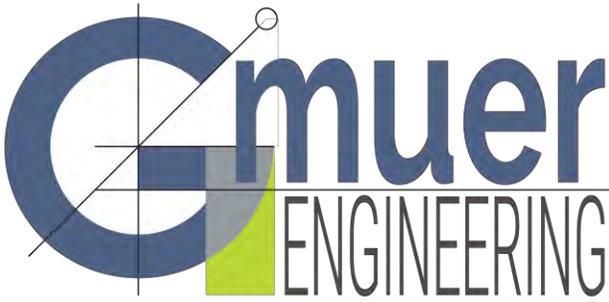
The City of Alachua Land Development Code section 3.4.2 states, "RSF-3, Residential Single-Family-3. The RSF-3 district is established as a district in which the principal use of land is single-family residential development at a moderate density in areas served by water and sewer systems. The regulations of this district are intended to discourage any use that would substantially interfere with the development of single-family dwellings and that would be detrimental to the quiet residential nature of the district. Complementary uses customarily found in residential zone districts, such as community facilities, religious institutions, parks and playgrounds, and schools, are also allowed. The minimum lot area is 10,000 square feet and the maximum density allowed is three dwelling units an acre.

**Proposed Zoning Map**



Aerial





2603 NW 13th St, Box 314  
Gainesville, FL 32609  
Ph. (352) 281-4928

gmuereng.com

September 24, 2018

City of Alachua Planning & Zoning  
15100 NW 142nd Terr  
Alachua, FL 32615

Re: Wallace Rezoning  
Concurrency Impact Analysis

The following is an analysis of the projected impacts on public infrastructure following a change in zoning per the procedure outlined in section 2.4.14(H) of the City of Alachua LDR. The analysis includes potable water, sanitary sewer, transportation, solid waste, recreation, stormwater, and public schools. Maps of existing utilities and infrastructure are included as an attachment to the Analysis of Compliance with the Standards for Site Specific Amendments to the Official Zoning Atlas document.

**Net Maximum Projected Development Potential**

Max Projected Existing CC Zoning Development Potential: 0.5 FAR x 20 acres = 435,600 sf Shopping Center  
Max Projected Proposed RSF-3 Zoning Development Potential: 3 Units / Acre (RSF-3) x 20 acres = 60 Units

**Potable Water**

<b>Projected Existing Zoning Demand</b>	<b>435,600 SF x 0.1 GPD per SF = 43,560 GPD*</b>
<b>Projected Proposed Zoning Demand</b>	<b>60 Units x 275 GPD = 16,500 GPD**</b>
<b>Net Projected Zoning Demand</b>	<b>16,500 GPD – 43,560 GPD = Net Reduction of 27,060 GPD</b>

\*Per Chapter 64E-6, F.A.C.

\*\*Per City of Alachua Comprehensive Plan CFNGR Policy 4.1.c

Conclusion: The proposed zoning change will result in a net reduction of projected demand.

Current Permitted Capacity	2,300,000 GPD
Less Actual Potable Water Flow	1,236,000 GPD
Reserved Capacity	36,867 GPD
Residual Capacity	1,027,133 GPD
<b>Projected Proposed Zoning Demand</b>	<b>60 Units x 275 GPD = 16,500 GPD</b>
Residual Capacity after Proposed	1,010,633 GPD

\*Source: City of Alachua Public Services Department, July 2018

Conclusion: The demand of the projected potential development will not exceed the adopted LOS standards.

**Sanitary Sewer**

**Projected Existing Zoning Demand\*** 435,600 SF x 0.1 GPD per SF = 43,560 GPD  
**Projected Proposed Zoning Demand\*** 60 Units x 250 GPD = 15,000 GPD  
**Net Projected Zoning Demand** 15,000 GPD – 43,560 GPD = Net Reduction of 28,560 GPD

\*Per City of Alachua Comprehensive Plan CFNGR Policy 1.1.d

Conclusion: The proposed zoning change will result in a net reduction of projected demand.

Current Permitted Capacity 1,500,000 GPD  
 Less Actual Potable Water Flow 687,000 GPD  
 Reserved Capacity 32,839 GPD  
 Residual Capacity 780,161 GPD  
**Projected Proposed Zoning Demand** 60 Units x 250 GPD = 15,000 GPD  
 Residual Capacity after Proposed 763,661 GPD

\*Source: City of Alachua Public Services Department, July 2018

Conclusion: The demand of the projected potential development will not exceed the adopted LOS standards.

**Transportation**

Trip Generation Calculations per ITE Trip Generation 9<sup>th</sup> Edition

Land Use		KSF	AADT		PM Peak
Description	ITE		Rate	Trips	Trips
Projected Existing Zoning Demand	820 Shopping Center	435.6 KSF	37.75	16,444	1,660
Projected Proposed Zoning Demand	210 Single-Family Detached	60 Units	9.44	567	60
Net Projected Zoning Demand				-15,577	-1,600

Conclusion: The proposed zoning change will result in a net reduction of projected demand.

Affected Roadway Segments: Less than 1,000 ADT requires analysis of segments within one-half mile

Roadway Segment (FDOT Segment #, CoA Comp Plan #)	Type	Comp Plan MSV	Existing Traffic	Reserved Trips	Available Capacity	Additional Trips	Residual Capacity
<i>County Roads</i>		Min LOS Std: D					
SR 235 (109/4109, 9)	AADT	14,400	7,537	29	6,834	567	6,267
	Peak Hour	1,290	716	2	572	60	512

Conclusion: The demand of the projected potential development will not exceed the adopted LOS standards.

**Solid Waste**

Existing Demand\* 39,744.00 lbs/day 7,253.28 tons/yr  
 Reserved Capacity\* 2,883.37 lbs/day 526.22 tons/yr  
**Projected Demand (60 Units x 2.3 Capita / Unit x 0.73 tons / capita-year)** 552 lbs/day 100.74 tons/yr  
 Residual Capacity after Proposed 2,331.37 lbs/day 425.48 tons/yr

\*Formula: (0.73 tons/year per capita @2.3 residents per unit). Source: City of Alachua Comprehensive Plan

Conclusion: The demand of the development will not exceed the adopted LOS standards.

**Recreation**

Existing City of Alachua Recreation Acreage*	117.65 acres
*(City of Alachua July 2018 Development Monitoring Report)	
Acreage Required to Serve Existing Population*	49.68 acres
*(University of Florida, Bureau of Economic & Business Research, Estimates of Population by County and City in Florida, April 1, 2016; Policy 1.2.b, Recreation Element)	
Reserved Capacity*	0.62 acres
*(City of Alachua July 2018 Development Monitoring Report)	
Available Recreation Acreage	67.35 acres
<b>Projected Demand (60 Units x 2.37 persons / Unit x 5 acres / 1000 persons) *</b>	<b>0.71 acres</b>
*(US Census Bureau; Policy 1.2.b, Recreation Element (Formula: 2.37 persons/dwelling x 91 dwellings/[5 acres/1000 persons])	
Residual Recreation Acreage	66.64 acres
Minimum Improved Passive Park Space Required to Serve Existing Population & Reserved Capacity*	10.06 acres
*(Source: City of Alachua July 2018 Development Monitoring Report)	
Existing Improved Passive Park Space Provided*	34.82 acres
*(Source: City of Alachua July 2018 Development Monitoring Report)	
Available Improved Passive Park Space Capacity*	24.76 acres
*(Formula: Total Improved Passive Park Space/Acreage Required to Serve Existing Population + Reserved Capacity + Acreage Required to Serve Demand Generated by Development).	
<b>Projected Demand (0.71 acres x 20%)*</b>	<b>0.14 acres</b>
*(Recreation Demand Generated by Development (1.08 acres) x 20%)	
Residual Improved Passive Park Space Capacity	24.62 acres
*(Source: City of Alachua July 2018 Development Monitoring Report)	

Conclusion: The demand of the development will not exceed the adopted LOS standards.

**Stormwater**

A Grading and Drainage Plan and Stormwater Management Report will be required for any development proposed on this property at the time of the required Site Plan Application. The design of any future development will be required to provide on-site treatment and attenuation of all stormwater runoff per the requirements of the City of Alachua and the Suwannee River Water Management District. Existing drainage patterns show runoff flows from the northeast to the southwest runoff is typically treated / attenuated by a stormwater management facility that will discharge at a rate below predevelopment flows to the southwest property line. The design is consistent with LOS standards provided in the City's Comprehensive Plan Community Facilities and Natural Groundwater Aquifer Recharge Element Policy 3.1.a, and the Suwannee River Water Management District.

**Public Schools**

Please see the separate Public School Student Generation Form.

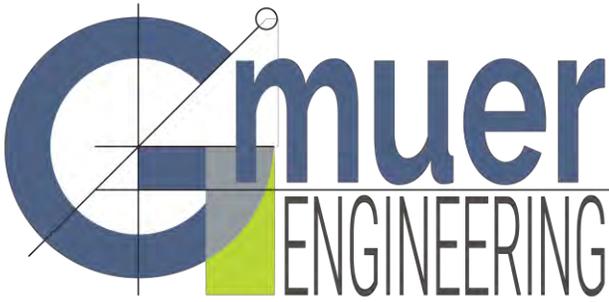
Sincerely,

Gmuer Engineering, LLC



Christopher A Gmuer, PE

President



2603 NW 13th St, Box 314  
Gainesville, FL 32609  
Ph. (352) 281-4928

[gmuereng.com](http://gmuereng.com)

## Neighborhood Meeting

Gmuer Engineering, LLC will be holding a workshop to discuss a proposed Rezoning from CC (Community Commercial District) to RSF-3 (Residential Single Family-3) on a ±20 acre portion of TP#03067-005-000 located at approximately 17002 NW 140th St, Alachua. The purpose is to bring the Zoning into compliance with the City of Alachua's Comprehensive Plan and existing Future Land Use designation.

**Date:** Saturday, August 11, 2018

**Time:** 11:00am

**Place:** Alachua Library Branch, Meeting Room, 14913 NW 140<sup>th</sup> St, Alachua, FL 32615

**Contact:** Christopher A. Gmuer, PE, (352) 281-4928, Gmuer Engineering, LLC

The principal land use of RSF-3 zoning is moderate density single-family residential development with a maximum density of three units per acre. Complementary uses customarily found in residential zone districts, such as community facilities, religious institutions, parks and playgrounds, and schools are also allowed.

The purpose of the workshop is to inform neighboring property owners about the nature of the proposal and to seek comments. We look forward to seeing you there.

ANTOINETTE ENDELICATO  
5562 NW 93RD AVENUE  
GAINESVILLE FL 32653

DAN RHINE  
288 TURKEY CREEK  
ALACHUA FL 32615

TOM GORMAN  
9210 NW 59TH STREET  
ALACHUA FL 32653

RICHARD GORMAN  
5716 NW 93RD AVENUE  
ALACHUA FL 32653

PEGGY ARNOLD  
410 TURKEY CREEK  
ALACHUA FL 32615

DAVID FOREST  
23 TURKEY CREEK  
ALACHUA FL 32615

PRESIDENT, TCMOA  
1000 TURKEY CREEK  
ALACHUA FL 32615

LINDA DIXON, AICP  
ASSISTANT DIRECTOR PLANNING  
PO BOX 115050  
GAINESVILLE FL 32611

CRAIG PARENTEAU  
FL DEPT OF ENV PROTECTION  
4801 CAMP RANCH ROAD  
GAINESVILLE FL 32641

JEANNETTE HINSDALE  
P.O. BOX 1156  
ALACHUA FL 32616

LYNN COULLIAS  
7406 NW 126TH AVE  
ALACHUA FL 32615

LYNDA COON  
7216 NW 126 AVENUE  
ALACHUA FL 32615

TAMARA ROBBINS  
PO BOX 2317  
ALACHUA FL 32616

MICHELE L. LIEBERMAN  
INTERIM COUNTY MANAGER  
12 SE 1ST STREET  
GAINESVILLE FL 32601

HAILE, ELAINE D  
802 OAK ST  
STARKE, FL 32091-2340

BOOZER RUBY D TRUSTEE  
PO BOX 1085  
ALACHUA, FL 32616-1085

JOHNS, PATSY ANNETTE  
PO BOX 1722  
HIGH SPRINGS, FL 32655-1722

OSTEEN MABEL M TRUSTEE  
16929 NW COUNTY RD 241  
ALACHUA, FL 32615-4451

HAGAN MILDRED  
16906 NW 140TH ST  
ALACHUA, FL 32615-4411

RHOADS A K & DEBORAH  
17208 NW 140TH ST  
ALACHUA, FL 32615-4455

GHOSH, GOVIND  
2441 NW 43RD ST STE 24-A  
GAINESVILLE, FL 32606

HAILE, ELAINE D  
802 OAK ST  
STARKE, FL 32091-2340

CAIN, WALLACE R  
PO BOX 100  
ALACHUA, FL 32616-0100

MEGAHEE ENTERPRISES LTD,....  
4110 SW 34TH ST STE 24  
GAINESVILLE, FL 32608-6529

TYSON, DEVRON D  
PO BOX 23  
ALACHUA, FL 32616-0023

ORTIZ & PETERSON-ORTIZ H/...  
17304 NW 140TH ST  
ALACHUA, FL 32616

CAIN, WALLACE R & MARY H  
PO BOX 100  
ALACHUA, FL 32616-0100

CAIN, WALLACE R & MARY H  
PO BOX 100  
ALACHUA, FL 32616-0100

MARK MARY  
PO BOX 711  
ALACHUA, FL 32616-0711

SMITH, MARY LOUISE  
14314 NW 167TH PL  
ALACHUA, FL 32615-8696

BOOZER, RUBY D TRUSTEE  
PO BOX 1085  
ALACHUA, FL 32616-1085

GAMAGE RICHARD F & CHERY...  
14495 NW 174TH AVE  
ALACHUA, FL 32615

ESCOFFERY-LAWRENCE & LA...  
14745 NW 174TH AVE  
ALACHUA, FL 32615-4856

WOODEN WILLIAM ROGERS JR...  
14655 NW 174TH AVE  
ALACHUA, FL 32615

CAIN, WALLACE R & MARY H  
PO BOX 100  
ALACHUA, FL 32616-0100

COYLE & COYLE  
14319 NW 167TH PL  
ALACHUA, FL 32615

EIB, REUBEN J & DEBORAH S  
17325 NW COUNTY RD 241  
ALACHUA, FL 32615

RICHARDSON, MATTIE HEIRS  
815 SE 19TH ST  
GAINESVILLE, FL 32641

KNISELEY, GREGORY P & JOAN...  
PO BOX 782  
ALACHUA, FL 32616

CEMETERY  
17017 NW COUNTY ROAD 241  
ALACHUA, FL 32615

LEWIS BRANDT A & NANCY A  
14907 NW 174TH AVE  
ALACHUA, FL 32615

KARAPHILLIS JOHN M & CYNTH...  
7720 SW 47TH LN  
GAINESVILLE, FL 32608

JONES HENRY  
PO BOX 956  
ALACHUA, FL 32616-0956

**TODAY IN HISTORY**

In 1866, Ulysses S. Grant was named General of the Army of the United States, the first officer to hold the rank.

In 1946, the United States detonated an atomic bomb near Bikini Atoll in the Pacific in the first underwater test of the device.

In 1952, Puerto Rico became a self-governing commonwealth of the United States.

In 1960, a Woolworth's store in Greensboro, North Carolina, that had been the scene of a sit-in protest against its whites-only lunch counter dropped its segregation policy.

In 1972, the notorious Tuskegee syphilis experiment came to light as The Associated Press reported that for the previous four decades, the U.S. Public Health Service, in conjunction with the Tuskegee Institute in Alabama, had been allowing poor, rural black male patients with syphilis to go without treatment, even allowing them to die, as a way of studying the disease.

**TODAY'S BIRTHDAYS**

Address **Barbara Harris** is 83. Folk-pop singer-musician **Bruce Woodley** (The Seekers) is 76. Rock musician **Jim McCarty** (The Yardbirds) is 75. Rock musician **Verdine White** (Earth, Wind & Fire) is 67. Model-actress **Iman** is 63. Cartoonist **Ray Billingsley** is 61. Celebrity chef/TV personality **Geoffrey Zakarian** is 59. Actor **Matt LeBlond** is 51. Actor **D.B. Woodside** is 49. Actress **Miriam Shor** is 47. Actor **David Deman** is 45. Actor **Jay R. Ferguson** is 44. Actor **James Lafferty** is 33. Actor **Michael Welch** is 31. Actress **Linsey Godfrey** is 30.

**LOTTERY**

Tuesday, July 24

**Pick 2**

Early drawing: 8-9

Night drawing: 4-2

**Pick 3**

Early drawing: 0-0-9

Night drawing: 1-2-0

**Pick 4**

Early drawing: 2-2-9-6

Night drawing: 5-0-8-0

**Pick 5**

Early drawing: 2-9-0-5-9

Night drawing: 9-4-0-0-3

**Fantasy 5**

2-7-12-18-19

**Lucky Money**

19-24-35-41 LB: 16

**Mega Millions**

1-2-4-19-29 MB: 20

**PREVIOUS RESULTS**

**Fantasy 5 - Monday**

6-7-11-29-35

Match, Payoff, Winners

5-of-5...\$180,404.81..1

4-of-5...\$125.50...231

3-of-5...\$10...8,055



Attorney General Jeff Sessions speaks during a Senate Appropriations Subcommittee hearing in Washington on April 25. On Tuesday he spoke to the conservative student group Turning Point USA. (ANDREW HARRER/BLOOMBERG)

# Sessions claims colleges are molding 'snowflakes'

By Devin Barrett  
The Washington Post

Attorney General Jeff Sessions laughed as conservative students interrupted his speech Tuesday by chanting "Lock her up!" — a reference to Hillary Clinton — prompting him to repeat the phrase.

Sessions, in the midst of a speech castigating universities and colleges for what he called excessive political correctness, at one point told the students: "Like this bunch. Go get 'em."

With that, some in the crowd began chanting "Lock her up." The chant was a popular one at

Trump rallies during the 2016 campaign, in which crowds called for Clinton to be sent to prison over her use of a private email server when she was secretary of state.

Sessions, now the attorney general, is recused from investigations involving the 2016 campaign, but he has assigned a subordinate to review Obama-era decisions by the Justice Department not to charge anyone over the Clinton email matter.

As the crowd chanted "Lock her up," the attorney general laughed and said, "Lock her up... I heard that a long time over the last campaign,"

he added.

He then returned to the text of his speech attacking college officials, saying: "Rather than molding a generation of mature, well-informed adults, some schools are doing everything they can to create a generation of sanctimonious, sensitive, supercilious snowflakes. We're not going to have it."

Sessions was speaking to a gathering of Turning Point USA, a conservative student group, at George Washington University. The attorney general repeatedly praised the students, echoing a conservative

argument that on many American campuses, right-leaning students' voices are being stifled by left-leaning student and college administrators.

"Whether you realize it or not, freedom of thought and speech on the American campus are under attack," Sessions said. "Of all places, the college campus should be where debate and discussion should be appreciated and honored. But nowhere has there been more arbitrary and capricious restrictions on free speech than in supposedly educational institutions."

# Board makes classification recommendation for Cosby

He could be classified as sexually violent predator

By Claudia Lauer  
The Associated Press

Bill Cosby should be classified as a sexually violent predator, according to an evaluation by Pennsylvania's Sexual Offenders Assessment Board.

The district attorney's office that prosecuted Cosby asked a judge in a filing Tuesday to schedule a hearing on whether to accept the

recommendation. No date was immediately set.

"We will see them in court," responded Andrew Wyatt, Cosby's spokesman.

The 81-year-old comedian was convicted April 26 of aggravated indecent assault. He was accused of drugging and assaulting former Temple University employee Andrea Constand at his home near Philadelphia in 2004.

The weeks-long trial in suburban Philadelphia included testimony from five other women who were among dozens who have stepped forward to accuse Cosby of similar sexual misconduct.

The Associated Press does not typically identify people who say they are victims of sexual assault unless they grant permission, as Constand has done.

The former TV star known for his portrayal of kindly Dr. Cliff Huxtable on his NBC hit "The Cosby Show" is now confined to his home awaiting sentencing, which is scheduled for Sept. 24. He faces up to 10 years in prison. His representatives have said he plans to appeal.

Superior Court Judge Steven O'Neill, who



Bill Cosby leaves the Montgomery County Courthouse in Norristown, Pa., during his April trial. A representative from the Sexual Offenders Assessment Board has issued an assessment recommending that Bill Cosby be classified as a sexually violent predator. (MATT SLOCUM/THE ASSOCIATED PRESS)

presided at the trial, ordered him to be outfitted with a GPS monitoring bracelet and required him to seek permission to leave home, and only then to visit with lawyers or go to the doctor.

The report by the Sexual Offenders Assessment Board, which examined 14 criteria, is not public. Copies are given to the prosecutor, defense attorney and court before the hearing, and the board's assessor will likely testify.

State law already requires Cosby to register as a sex offender because of the nature of the charge of which he was

convicted. The sexually violent predator classification would require increased treatment in prison and increased notification of neighbors upon release.

A person deemed a predator is subject to lifetime, at least monthly, mandatory sex offender counseling with a treatment provider approved by the state board.

Under Pennsylvania law, a sexually violent predator is defined as a person who has a mental abnormality or personality disorder that makes the person likely to engage in predatory sexually violent offenses.

**PUBLIC NOTICE**

A Neighborhood Meeting will be held to discuss a Rezoning from CC (Community Commercial) to RSF-3 (Residential Single Family) on a ±20 acre portion of TP# 03067-005-000 located at 17002 NW 140th Street in Alachua, Florida.

This is not a public hearing. The purpose of this meeting is to inform neighboring property owners of the nature of the proposal and to seek their comments.

The meeting will be held Saturday, August 11, 2018 at 11:00am at Alachua Library Branch, Meeting Room 14913 NW 140th St, Alachua, FL 32615

Contact Person: Christopher A. Gmuier, PE (352) 281-4928 - Gmuier Engineering, LLC

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# Trump's choice wins Ga. GOP primary

Kemp to run against Democrat Stacey Abrams, who would become America's first black woman to serve as governor if elected

By Ben Nadler and Bill Barrow  
The Associated Press

ATLANTA — With a damning secret recording of his opponent and a late Trump-Pence endorsement, Secretary of State Brian Kemp on Tuesday won a bruising Republican runoff in the race for Georgia governor.

A self-described "unapologetic conservative" whose campaign ran an eyebrow-raising ad that said he could use his own pickup truck to "round up criminal illegals," Kemp rode a national wave of voter contempt for the establishment in favor of bare-knuckled outsider politics.

He now faces Democrat Stacey Abrams, who could become the country's first black woman governor, in a race that will test Democrats' assertion that changing demographics have turned the Republican stronghold into a swing state.

Abrams tweeted her reaction Tuesday, saying "Tonight, I have an opponent: Kemp. The race for #GAGov may change, but our values never will. Service, faith & family guide our vision for GA: Affordable health care. Excellent public schools for every child. An economy that works for all."

"Stand with us," she wrote, followed by a link to a fundraising page.

Kemp beat once heavily-favored Lt. Gov. Casey Cagle, who outraced Kemp more than 2-to-1 and had a Rolodex of endorsements from establishment Republicans in the state including Gov. Nathan Deal.

In a tweeted endorsement last week, President Donald Trump pointed to Kemp's tough stance on illegal immigration and strong support for gun rights. With days left in the race, Vice President Mike Pence also stepped for Kemp on the campaign trail. Both reiterated their support for Kemp in tweets Tuesday.

Kemp victory is likely to embolden Trump to become even more engaged in shaping the Republican Party in the final months of the primary season. And it is another election success for a Trump-approved candidate.

Nichole Jacobs went to Sandy Springs Christian Church to vote Tuesday for Kemp, citing his stance on immigration. Jacobs sends both her children to private schools, and feels her affluent Atlanta suburb is overrun with "illegal immigration."

"People are moving out of Sandy Springs to get into a better school district or putting their kids in private schools," Jacobs said.

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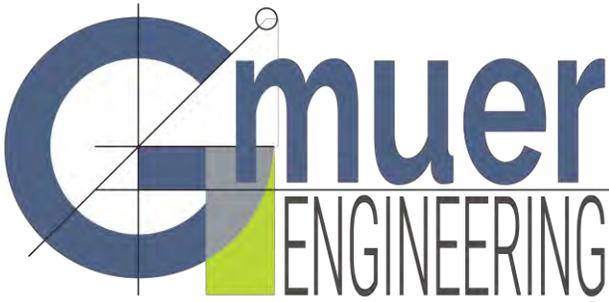
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2603 NW 13th St, Box 314  
Gainesville, FL 32609  
Ph. (352) 281-4928

[gmuereng.com](http://gmuereng.com)

## Meeting Agenda and Notes

Re: TP#03067-005-000 Rezoning – Neighborhood Workshop

Date Time: Saturday, August 11, 2018 at 11am

Explanation of the development proposal and application

- Rezoning from CC to RSF-3 to follow a land use change that occurred 10 years ago
- The zoning is currently out of compliance and this application would fix that

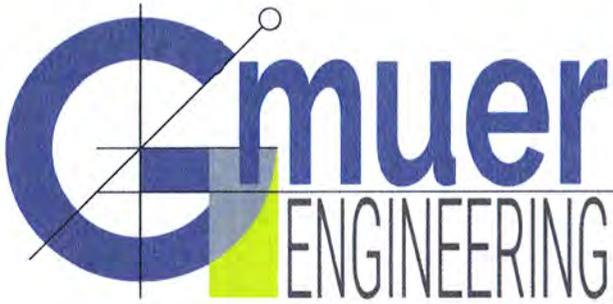
Explanation of the character and nature of the process for review

- There is the initial NHWS where we explain to the public and neighbors what the application is proposing
- We submit to the City of Alachua who reviews the application for compliance with the codes
- We revise the application if any issues are raised by City staff
- Our application would get forwarded to the Planning and Zoning Board and if approved would go to the City Commission for a 1<sup>st</sup> and 2<sup>nd</sup> reading of the ordinance to change the zoning, for them to hear any public comment, and to make a final decision on the rezoning

Comments and questions and discussion of potential conflicts

1. What is the timing of each step?

**The neighborhood workshop takes 3 weeks to schedule since there is a required 2 weeks for public notice of the meeting, we then submit to City staff and they have typically 1-2 months to review and place us on the Planning and Zoning Board Agenda and then the City Commission Meetings occur twice a month. All in all the process usually takes 3 months when the rezoning is straight forward and no significant complications come up.**



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Gainesville, FL 32609  
Ph. (352) 281-4928

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### Meeting Agenda and Notes

Re: TP#03067-005-000 Rezoning – Neighborhood Workshop

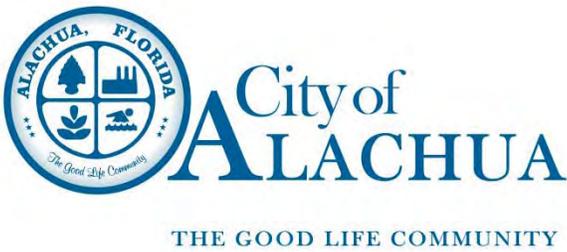
Date Time: Saturday, August 11, 2018 at 11am

Explanation of the development proposal and application

Explanation of the character and nature of the process for review

Comments and questions and discussion of potential conflicts

Question about the timing of each step,  
workshop  
application  
staff review  
Board Approval  
Commissioner 1st & 2nd readings



FOR PLANNING USE ONLY	
Case #:	_____
Application Fee: \$	_____
Filing Date:	_____
Acceptance Date:	_____
Review Type:	Admin

# Public School Student Generation Form for Residential Development in the City of Alachua

## A. APPLICANT

- Applicant's Status (check one):
  - Owner (title holder)
  - Agent
- Name of Applicant(s) or Contact Person(s): Christopher Gmuer Title: President  
 Company (if applicable): Gmuer Engineering, LLC  
 Mailing address: 2603 NW 13th ST Box 314  
 City: Gainesville State: FL ZIP: 32609  
 Telephone: 352-281-4928 FAX: N/A e-mail: chrisg@gmuereng.com
- If the applicant is agent for the property owner\*:  
 Name of Owner (title holder): Wallace Cain  
 Mailing Address: PO Box 100  
 City: Alachua State: FL ZIP: 32616-0100

\* Must provide executed Property Owner Affidavit authorizing the agent to act on behalf of the property owner.

## B. PROJECT

- Project Name: Wallace Rezoning
- Address of Subject Property: 17002 NW CR 241, Alachua, FL 32615
- Parcel ID Number(s): 03067-005-000
- Section 10 Township 8 S Range 18 E Grant N/A Acreage: 100
- Existing Use of Property: Single-Family / Vacant / Silviculture
- Future Land Use Map Designation: Moderate Density Residential
- Zoning Designation: Existing CC / Proposed RSF-3
- Development Data (check all that apply):
  - Single Family Residential Number of Units 60
  - Multi-Family Residential Number of Units \_\_\_\_\_
  - Exempt (see exempt developments on page 2)
- Review Type:
 

<b>Preliminary Development Order</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Comprehensive Plan Amendment               <ul style="list-style-type: none"> <li><input type="checkbox"/> Large Scale</li> <li><input type="checkbox"/> Small Scale</li> </ul> </li> <li><input checked="" type="checkbox"/> Site Specific Amendment to the Official Zoning Atlas (Rezoning)               <ul style="list-style-type: none"> <li><input type="checkbox"/> Revised</li> </ul> </li> </ul>	<b>Final Development Order</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Preliminary Plat</li> <li><input type="checkbox"/> Final Plat</li> <li><input type="checkbox"/> Site Plan</li> </ul>
---	---
- School Concurrency Service Areas (SCSA): Based on the project location, identify the corresponding SCSA for each school type. Maps of the SCSAs can be obtained from the Alachua County Growth Management Department Map Gallery by clicking on the "Public Schools" tab: [http://growth-management.alachuacounty.us/gis\\_services/map\\_gallery/](http://growth-management.alachuacounty.us/gis_services/map_gallery/)  
 Elementary: Alachua CSA  
 Middle: Mebane CSA  
 High: Santa Fe CSA

**Explanation of Student Generation Calculation:** Student Generation is calculated based on the type of residential development and the type of schools. The number of students stations (by school type – Elementary, Middle and High School) used for calculating the school concurrency impacts is equal to the number of dwelling units by housing type multiplied by the student generation multiplier (for housing type & school type) established by the School Board. Calculations are rounded to the nearest whole number. Student Generation for each school type is calculated individually, in order to correctly assess the impact on the School Concurrency Service Area (SCSA) for each school type (Elementary, Middle and High School).

# of Elementary School Student Stations = # of housing units x Elementary school student generation multiplier  
 # of Middle School Student Stations = # of housing units x Middle school student generation multiplier  
 # of High School Student Stations = # of housing units x High school student generation multiplier

**Student Generation Calculations: Single Family Residential Development**

Elementary School	<u>60</u>	units	x	<u>0.15</u>	Elementary School Multiplier*	<u>9</u>	Student Stations**
Middle School	<u>60</u>	units	x	<u>0.07</u>	Middle School Multiplier*	<u>5</u>	Student Stations**
High School	<u>60</u>	units	x	<u>0.09</u>	High School Multiplier*	<u>6</u>	Student Stations**

**Student Generation Calculations: Multi-Family Residential Development**

Elementary School	<u>        </u>	units	x	<u>        </u>	Elementary School Multiplier*	<u>        </u>	Student Stations**
Middle School	<u>        </u>	units	x	<u>        </u>	Middle School Multiplier*	<u>        </u>	Student Stations**
High School	<u>        </u>	units	x	<u>        </u>	High School Multiplier*	<u>        </u>	Student Stations**

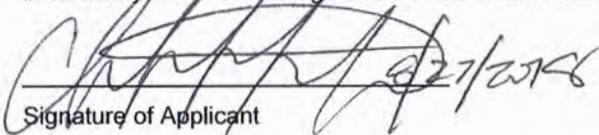
\* Student generation multipliers may be obtained from SBAC at:  
[http://www.sbac.edu/pages/ACPS/Departments\\_Programs/DepartmentsAF/D\\_thru\\_F/FacilitiesMainConstr/Local\\_Certification\\_Packets/City\\_of\\_Alachua](http://www.sbac.edu/pages/ACPS/Departments_Programs/DepartmentsAF/D_thru_F/FacilitiesMainConstr/Local_Certification_Packets/City_of_Alachua)  
 \*\* Round to the nearest whole number

**EXEMPT DEVELOPMENTS (check all that apply):**

- Existing legal lots eligible for a building permit.
- Development that includes residential uses that has received final development plan approval prior to the effective date for public school concurrency, or has received development plan approval prior to June 24, 2008, provided the development approval has not expired.
- Amendments to final development orders for residential development approved prior to the effective date of public school concurrency, and which do not increase the number of students generated by the development.
- Age-restricted developments that prohibit permanent occupancy by persons of school age, provided this condition is satisfied in accordance with the standards of the Public Schools Facilities Element or the ILA.
- Group quarters that do not generate public school students, as described in the ILA.

**A completeness review of the application will be conducted within 5 business days of receipt. If the application is determined to be incomplete, the application will be returned to the applicant.**

I/We certify and acknowledge that the information contained herein is true and correct to the best of my/our knowledge.

  
 Signature of Applicant

\_\_\_\_\_  
 Signature of Co-applicant

Christopher Gmuere, President  
 \_\_\_\_\_  
 Typed or printed name and title of applicant

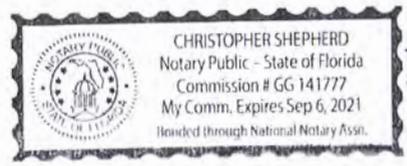
\_\_\_\_\_  
 Typed or printed name of co-applicant

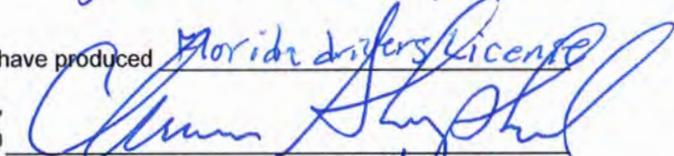
State of Florida County of Alachua

The foregoing application is acknowledged before me this 27 day of August, 2018, by Christopher Gmuere

\_\_\_\_\_, who is/are personally known to me, or who has/have produced Florida drivers license  
 as identification.

NOTARY SEAL



  
 Signature of Notary Public, State of Florida

# Certification

This application for a determination of adequacy of public schools to accommodate the public school students generated by the proposed development has been reviewed for compliance with the school concurrency management program and in accordance with the ILA. The following determinations have been made:

**Approved** based upon the following findings:

**Elementary** SCSA: \_\_\_\_\_

- Capacity Available
- Capacity Available in 3 years
- Capacity Available in Adjacent SCSA

**Middle** SCSA: \_\_\_\_\_

- Capacity Available
- Capacity Available in 3 years
- Capacity Available in Adjacent SCSA

**High** SCSA: \_\_\_\_\_

- Capacity Available
- Capacity Available in 3 years
- Capacity Available in Adjacent SCSA

Capacity Required: \_\_\_\_\_

Available Capacity: \_\_\_\_\_

Available Capacity: \_\_\_\_\_

Available Capacity: \_\_\_\_\_

Capacity Required: \_\_\_\_\_

Available Capacity: \_\_\_\_\_

Available Capacity: \_\_\_\_\_

Available Capacity: \_\_\_\_\_

Capacity Required: \_\_\_\_\_

Available Capacity: \_\_\_\_\_

Available Capacity: \_\_\_\_\_

Available Capacity: \_\_\_\_\_

**Denied** for reasons stated: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Local Government Certification**

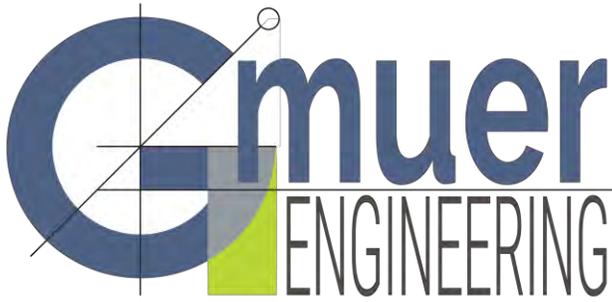
**Approved by:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**School Board Staff Certification**

\_\_\_\_\_  
**Vicki McGrath, Director, Community Planning**  
**School Board of Alachua County**  
**352-955-7400 x 1423**

**Date:** \_\_\_\_\_



2603 NW 13th St, Box 314  
Gainesville, FL 32609  
Ph. (352) 281-4928

[gmuereng.com](http://gmuereng.com)

Wallace Rezoning: TP# and Legal Description

TP# 03067-005-000

Legal Description:

South 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 10, Township 8 South, Range 18 East, less right-of-way for County Road No. 241.

Name: Wallace R. Cain  
Address: P.O. Box 100  
Alachua, FL 32615

RETURN TO

This Instrument Prepared by: Wallace R. Cain  
Address: P.O. Box 100  
Alachua, FL 32615

RECORDED  
OFFICIAL RECORDS  
02 OCT 20 AM 9:13  
CLERK OF CIRCUIT  
COUNTY COURT  
ALACHUA COUNTY, FL.

Property Appraisers Parcel Identification (Folio) Number(s):  
Grantee(s) S.S. # (s):

SPACE ABOVE THIS LINE FOR PROCESSING DATA SPACE ABOVE THIS LINE FOR RECORDING DATA

**This Quit-Claim Deed.** Executed this 25 day of February, A.D. 19 92, by  
Wallace R. Cain, a married man  
first party, to Mary H. Cain and Wallace R. Cain, wife and husband  
whose post office address is P.O. Box 100, Alachua, FL 32615

second party:  
(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)  
**Witnesseth.** That the said first party, for and in consideration of the sum of \$ 10.00, in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Alachua, State of Florida, to-wit:

SEE ATTACHED EXHIBIT "A"

Doc. St. Amt. \$0.60  
A. Curtis Powers, Clerk of Circuit Court  
Alachua County - By *George S. Stevens*

**To Have and to Hold** The same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

**In Witness Whereof.** The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:  
*Patricia S. Elliot*

Witness Signature (as to first Grantor)  
Printed Name Patricia S. Elliot

*George Stevens*  
Witness Signature (as to first Grantor)

Printed Name George Stevens

Witness Signature (as to Co-Grantor, if any)

Printed Name

Witness Signature (as to Co-Grantor, if any)

Printed Name

STATE OF Florida

COUNTY OF Alachua

Wallace R. Cain

*Wallace R. Cain*  
Grantor Signature

Printed Name Wallace R. Cain

P.O. Box 100, Alachua, FL 32615  
Post Office Address

Co-Grantor Signature, if any

Printed Name

Post Office Address

I hereby Certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared  
Wallace R. Cain

known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that he executed the same, that I relied upon the following form of identification of the above-named person: personally known to me and that an oath (was/was not) taken

NOTARY RUBBER STAMP SEAL  
DANNA TODD  
Notary Public-State of Florida  
My Commission Expires JAN 21, 1998  
COMM # AA742541  
1152421

Witness my hand and official seal in the County and State last aforesaid this 19 day of February, A.D. 19 92  
*Danna Todd*  
Notary Signature  
DANNA TODD  
Printed Notary Signature

OFF: 1879 PG 0795

EXHIBIT "A"

South 1/2 of the Northeast 1/4 of the  
Northeast 1/4 of Section 10, Township 8 South,  
Range 18 East, less right-of-way for County  
Road No. 241.

Q.R.  
BK 1879 PG0796

**2017 PAID REAL ESTATE** 1011616  
**NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS**

ACCOUNT NUMBER	ESCROW CD	APPLICABLE VALUES AND EXEMPTIONS BELOW	MILLAGE CODE
03067 005 000			1700

Unassigned Location RE

CAIN, WALLACE R & MARY H  
PO BOX 100  
ALACHUA, FL 32616-0100

W1/2 OF NE1/4 SEC & S1/2 OF NE1/4 OF  
NE1/4 (LESS COM  
See Additional Legal on Tax Roll

AD VALOREM TAXES					
TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION(S)	TAXABLE VALUE	TAXES LEVIED
BOARD OF COUNTY COMMISSIONERS CNTY GENERAL	8.4648	38,300	0	38,300	324.20
ALACHUA CNTY LIBRARY DISTRICT LIBRARY GENERAL	1.2655	38,300	0	38,300	48.47
SCHOOL BOARD OF ALACHUA COUNTY SCHL CAP33 PROJECT (S01)	1.5000	38,300	0	38,300	57.45
SCHL DISCRNRY & CN (S01)	0.7480	38,300	0	38,300	28.65
SCHL GENERAL	4.3770	38,300	0	38,300	167.64
SCHOOL VOTED (S01)	1.0000	38,300	0	38,300	38.30
SUWANNEE RIVER WATER MGT DIST	0.4027	38,300	0	38,300	15.42
17 CITY OF ALACHUA	5.3900	38,300	0	38,300	206.44
<b>TOTAL MILLAGE</b>		23.1480	<b>AD VALOREM TAXES</b>		<b>\$886.57</b>

Please Retain this Portion for your Records. Receipt Available Online.

**WANT TO RECEIVE YOUR BILL ELECTRONICALLY NEXT YEAR? VISIT [www.AlachuaCollector.com](http://www.AlachuaCollector.com) AND SIGN UP FOR E-BILLS!**

**PAY ONLINE WITH E-CHECK**



**SCAN TO PAY**

**PAY ONLY ONE AMOUNT.**

NON-AD VALOREM ASSESSMENTS				
LEVYING AUTHORITY	UNIT	RATE	AMOUNT	
R710 710 BOCC SOLID WASTE MGMT	1.000	@ 16.4700	16.47	
<b>NON-AD VALOREM ASSESSMENTS</b>				<b>\$16.47</b>

**COMBINED TAXES AND ASSESSMENTS \$903.04**

<b>If Paid By Please Pay</b>	<b>Nov 30, 2017</b>	\$0.00			
------------------------------	---------------------	--------	--	--	--

**JOHN POWER, CFC** 2017 PAID REAL ESTATE 1011616  
ALACHUA COUNTY TAX COLLECTOR **NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS**  
PLEASE PAY IN U.S. FUNDS (NO POSTDATED CHECKS) TO JOHN POWER, TAX COLLECTOR • 5830 NW 34TH BLVD • GAINESVILLE, FL 32653-2115

ACCOUNT NUMBER	SITUS	MESSAGE
03067 005 000	Unassigned Location RE	

CAIN, WALLACE R & MARY H  
PO BOX 100  
ALACHUA, FL 32616-0100

IF PAID BY	PLEASE PAY
<input type="checkbox"/> <b>Nov 30, 2017</b>	\$0.00
<input type="checkbox"/>	

# City of Alachua



## *ORDINANCE 07 35*

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE LARGE SCALE AMENDMENT OF THE CITY OF ALACHUA COMPREHENSIVE PLAN FUTURE LAND USE MAP, 2015; AMENDING THE FUTURE LAND USE MAP FROM THE COMMERCIAL CATEGORY TO THE MODERATE DENSITY RESIDENTIAL CATEGORY ON ONE PARCEL OF LAND THAT TOTALS APPROXIMATELY 20 ACRES; THE PARCEL SUBJECT TO THIS FUTURE LAND USE MAP AMENDMENT IS LOCATED DIRECTLY WEST OF THE INTERSECTION OF CR 241 AND N.W. 172<sup>ND</sup> AVENUE, AND NORTH OF THE INTERSECTION OF CR 241 AND SR 235, ALACHUA, FLORIDA. TAX PARCEL: A PORTION OF 03067-005-000; PROVIDING A REPEALING CLAUSE; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

### RECITALS

**WHEREAS**, an application for a large-scale comprehensive plan amendment, as described below, to the Comprehensive Plan Future Land Use Map has been filed with the City; and,

**WHEREAS**, a duly advertised public hearing was conducted on the proposed amendment on June 12, 2007 by the Planning and Zoning Board, sitting as the Local Planning Agency (LPA) and the LPA reviewed and considered all comments received during the public hearing concerning the application and made its recommendation to the City Commission; and,

**WHEREAS**, the City Commission considered the recommendations of the LPA and approved the amendment for transmittal to the Florida Department of Community Affairs (DCA) at a duly advertised public hearing on July 2, 2007; and,

**WHEREAS**, the DCA has reviewed the proposed amendment and issued its Objections, Recommendations, and comments (ORC) Report received by the City on September 24, 2007; and,

**WHEREAS**, the City Commission considered the ORC Report and the response to the ORC Report prepared by staff at a duly advertised public hearing on February 25, 2008, to consider the proposed amendment; and,

**WHEREAS**, the City Commission held a duly advertised public hearing on adoption of the proposed amendment and provided for and received public participation, and approved the amendment on March 10, 2008 with no changes since the transmittal hearing, and;

**WHEREAS**, for reasons set forth in this Ordinance that is hereby adopted and incorporated herein as findings of fact, that the Alachua City Commission finds and declares that the enactment of this amendment is in furtherance of the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY OF ALACHUA, FLORIDA:**

**Section 1. Comprehensive Plan, Future Land Use Map Amended.**

The Comprehensive Plan Future Land Use Map is hereby amended from the Commercial category to the Moderate Density Residential category for a portion of tax parcel 03067-005-000 in accordance with the legal description found in Exhibit "A" attached hereto.

**Section 2. Findings of Fact and Conclusions of Law**

1. The above recitals are true and correct and incorporated herein by reference.
2. The proposed Future Land Use Map amendment is consistent with the Comprehensive Plan.
3. The amendment will not cause a reduction in the adopted level of service standards for roads, water, sewer, solid waste, stormwater, and recreation.

**Section 3. Ordinance to be construed liberally**

This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed to be in the best interest of the public health, safety and welfare of the citizens and residents of Alachua, Florida.

**Section 4. Repealing Clause**

All ordinance or parts of ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

**Section 5. Severability**

It is the declared intent of the City Commission of the City of Alachua that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or inoperative by any court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this ordinance, and the remainder of the ordinance after the exclusion of such part or parts shall be deemed to be valid.

**Section 6. Effective Date**

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the adopted amendment to be in compliance in accordance with s. 163.3184(9) or (10), Florida Statutes. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before it has become effective. If a final order of non-compliance is issued by the Administration Commission, this amendment may nevertheless be made effective upon the adoption of a resolution affirming its effective status and the receipt of written notice from the Florida Department of Community Affairs, Division of Resource Planning and Management, Plan Processing Team, that it has received a copy of the resolution.

**PASSED** on first reading the 2nd<sup>th</sup> day of July 2007.

**PASSED** and **ADOPTED** in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 10<sup>th</sup> day of March, 2008.

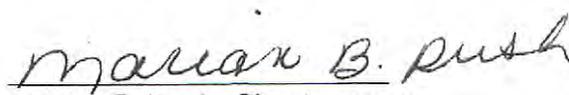
**CITY COMMISSION OF THE  
CITY OF ALACHUA, FLORIDA**

  
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**Gib Coerper, Mayor**

**ATTEST:**

  
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**Clovis Watson, Jr. MBA, City Manager**

**APPROVED AS TO FORM:**

  
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**Marian B. Rush, City Attorney**

ATTACHMENT "A" - LEGAL DESCRIPTION

A ±20-ACRE PORTION OF ALACHUA COUNTY TAX PARCEL 03067-005-000, MORE COMPLETELY DESCRIBED AS:

THE SOUTH ½ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 10, TOWNSHIP 8 SOUTH, RANGE 18 EAST; LESS AND EXCEPT COUNTY ROAD 241 RIGHT-OF-WAY.