

ORDINANCE 19-XX

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE AMENDMENT OF THE OFFICIAL ZONING ATLAS; AMENDING THE OFFICIAL ZONING ATLAS FROM AGRICULTURAL (A) TO RESIDENTIAL SINGLE FAMILY 3 (RSF-3) ON APPROXIMATELY 0.36 ACRES; LOCATED AT 14212 NW 167TH PLACE, TAX PARCEL NUMBER 03068-000-000; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, an application for a Site-Specific Amendment to the Official Zoning Atlas (“Amendment”), as described below, has been filed with the City; and

WHEREAS, the City advertised a public hearing to be held before the Planning and Zoning Board, sitting as the Local Planning Agency (“LPA”), on November 29, 2018; and

WHEREAS, the LPA conducted a quasi-judicial public hearing on the proposed Amendment on December 11, 2018, and the LPA reviewed and considered all comments received during the public hearing concerning the proposed Amendment and made its recommendation for approval to the City Commission; and

WHEREAS, the City advertised public hearings to be held before the City Commission on December 27, 2018, and on January 17, 2019; and

WHEREAS, the City Commission conducted quasi-judicial public hearings on the proposed Amendment on January 14, 2019, and January 28, 2019, and provided for and received public participation at both public hearings; and

WHEREAS, the City Commission has determined and found the proposed Amendment to be consistent with the City of Alachua Comprehensive Plan and Land Development Regulations; and

WHEREAS, for reasons set forth in this Ordinance, the Alachua City Commission finds and declares that the enactment of the proposed Amendment is in the 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. Findings of Fact and Conclusions of Law

The above recitals are true and correct and are incorporated into this ordinance by reference. The proposed Amendment is in compliance with the Land Development Regulations. The Amendment will not cause a reduction in the adopted level of service standards for roads, water, sewer, waste, stormwater, and recreation.

Section 2. Official Zoning Atlas Amended

The Official Zoning Atlas is hereby amended from Agricultural (A) (Alachua County) to Residential Single Family - 3 (RSF-3) for ±0.36 acres (Tax Parcel Number 03068-000-000), in accordance with the legal description found in Exhibit A and map found in Exhibit B attached hereto.

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 exclusions of such part or parts shall be deemed to be valid.

DRAFT

Section 6. Effective Date

This ordinance shall take effect immediately after its passage and adoption.

PASSED on first reading the 14th day of January, 2019.

PASSED and **ADOPTED**, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 28th day of January, 2019.

DRAFT

ATTEST:

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

Gib Coerper, Mayor
SEAL

APPROVED AS TO FORM

Adam Boukari, City Manager/Clerk

Marian B. Rush, City Attorney

EXHIBIT "A"

Tax Parcel No. 03068-000-000

LEGAL DESCRIPTION:

**SUBJECT PROPERTY
(PREPARED BY GEOLINE SURVEYING, INC.)**

THAT PART OF THE WEST 1/2 OF LOT 2, BLOCK 2, ALACHUA REALTY COMPANY ADDITION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK "A", PAGE 100 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 2, BLOCK 2, ALACHUA REALTY COMPANY ADDITION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK "A", PAGE 100 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE SOUTH 88°23'39" WEST ALONG THE NORTH LINE OF SAID LOT 2 FOR 81.98 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF SAID LOT 2 AND THE POINT OF BEGINNING; THENCE SOUTH 00°06'41" WEST ALONG THE EAST LINE OF SAID WEST 1/2 FOR 207.84 FEET TO AN INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF NORTHWEST 167TH PLACE (40 FEET WIDE RIGHT-OF-WAY) AND THE SOUTHEAST CORNER OF SAID WEST 1/2; THENCE SOUTH 88°24'36" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE AND ALONG THE SOUTH LINE OF SAID WEST 1/2 FOR 81.98 FEET TO THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE WITH THE EAST RIGHT-OF-WAY LINE OF NORTHWEST 142ND TERRACE (60 FEET WIDE RIGHT-OF-WAY) AND THE SOUTHWEST CORNER OF SAID WEST 1/2; THENCE NORTH 00°07'48" EAST ALONG SAID EAST RIGHT-OF-WAY LINE AND ALONG THE WEST LINE OF SAID WEST 1/2 FOR 57.67 FEET TO THE SOUTHERLY CORNER OF THE PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 1797, PAGE 1044 OF SAID PUBLIC RECORDS; THENCE NORTH 12°32'06" EAST ALONG THE EASTERLY LINE OF SAID PARCEL FOR 73.95 FEET; THENCE NORTH 11°25'41" WEST ALONG SAID EASTERLY LINE FOR 79.48 FEET TO AN INTERSECTION WITH SAID EAST RIGHT-OF-WAY LINE AND SAID WEST LINE, AND THE NORTHWEST CORNER OF SAID WEST 1/2; THENCE NORTH 89°23'39" EAST ALONG THE NORTH LINE OF SAID WEST 1/2 FOR 81.92 FEET TO SAID POINT OF BEGINNING.

CONTAINING 15,829 SQUARE FEET (0.363 ACRES), MORE OR LESS.

EXHIBIT "B"

